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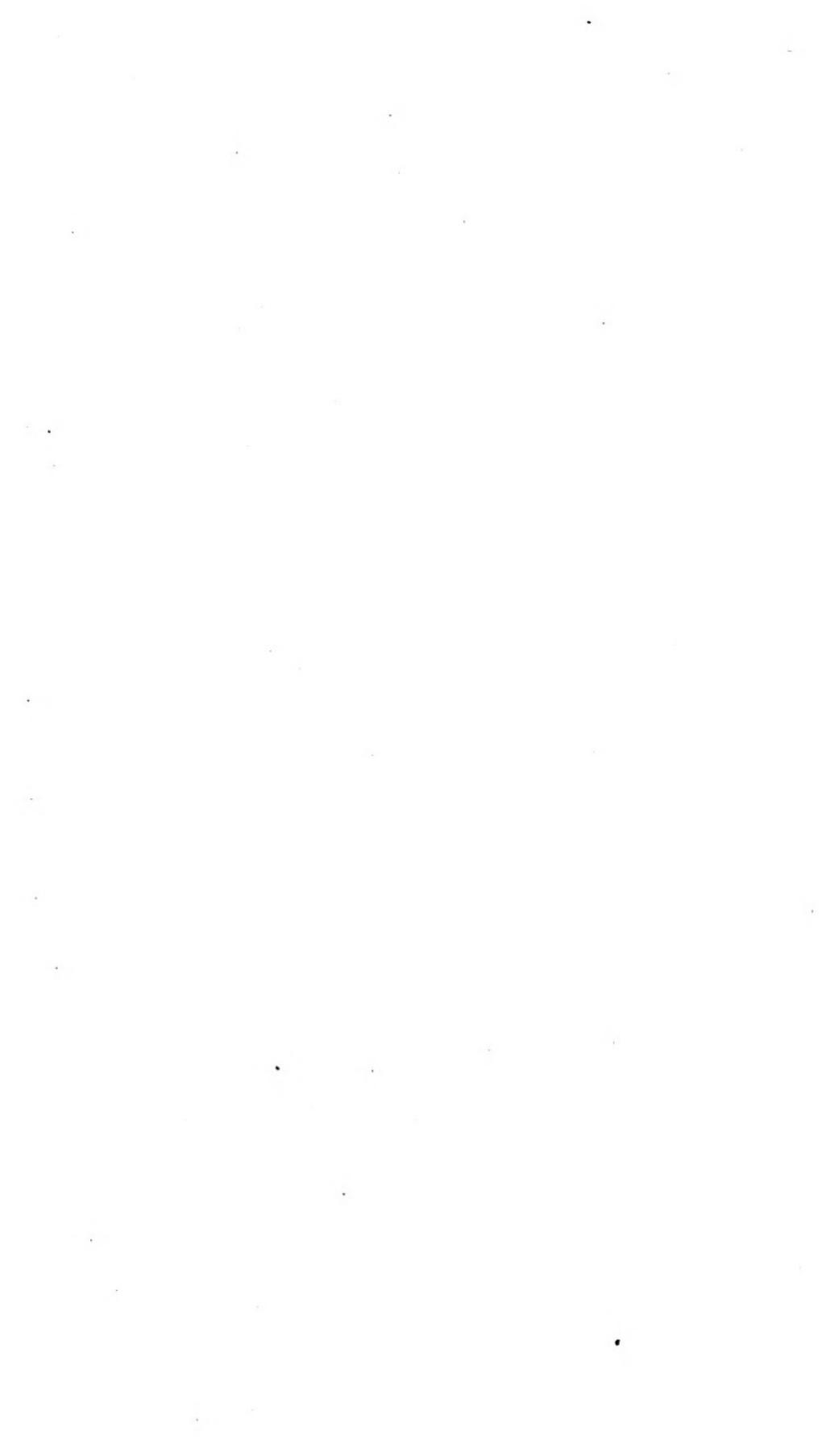


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Drayton



MEMOIRS

OF THE

AMERICAN REVOLUTION,

FROM ITS COMMENCEMENT TO THE YEAR 1776, INCLUSIVE;

AS RELATING TO

THE STATE OF SOUTH-CAROLINA:

AND OCCASIONALLY REFERING

TO THE STATES OF

NORTH-CAROLINA AND GEORGIA.

BY JOHN DRAYTON, L.L.D.

AUTHOR OF "A VIEW OF SOUTH-CAROLINA" AND A MEMBER OF THE ROYAL
SOCIETY OF SCIENCES OF GOTTINGEN.

— the Prince who intrigues with foreigners
against his People, does it, at the peril of his Crown.—*Dalrymple's Memoirs*.

— revocate animos, moestumque timorem
Mittite; forsan et haec olim meminisse juvabit.
A.E. I. v. 206, 207.

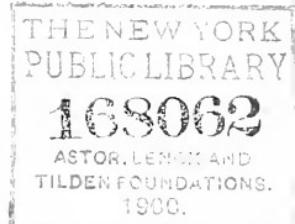
IN TWO VOLUMES.

◆
VOL II.
◆

CHARLESTON:

PRINTED BY A. E. MILLER, 120, BROAD-STRETT.

◆
1821.



District of South-Carolina, to wit.

BE IT REMEMBERED, that on the fifteenth day of May, Anno Domini, one thousand eight hundred and twenty-one, and in the forty-fifth year of the Independence of the United States of America, the Honorable John Drayton, District Judge of the United States of America for South-Carolina District, deposited in this office the title of a book, the right whereof he claims as author and proprietor, in the words following, to wit:

"Memoirs of the American Revolution, from its commencement to the year 1776, inclusive; as relating to the State of South-Carolina; and occasionally referring to the States of North-Carolina and Georgia. By John Drayton, L.L. D. Author of "A View of South-Carolina," and a Member of the Royal Society of Sciences of Gottingen. —— the Prince who intrigues with foreigners against his people, does it, at the peril of his crown.—*Dalrymple's Memoirs.* —revocate animos, moestumque timorem Mittite: forsitan et hæc olim meminisse juvabit. *Æn. I. v. 206, 207.* In two Volumes."

To conformity with the act of Congress of the United States, entitled "An act for the Encouragement of Learning, by securing the Copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned," and also to the act entitled "An act supplementary to an act, entitled, 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned,' and extending the benefits thereof to the arts of designing, engraving and etching historical and other prints."

JAMES JERVEY,
Clerk of the District of South-Carolina.

MEMOIRS

OF THE

AMERICAN REVOLUTION.

CHAPTER X.

The middle of September 1775, is an eventful era in the Revolutionary history of South-Carolina—Gov. Campbell prorogues the General Assembly—The General Assembly meet, according to prorogation—Commons-House of Assembly, at variance with the Council—Gov. Campbell delivers an Address to the General Assembly—The answer of the Commons—To which, the Governor makes a reply—and the Commons respond by a message—The House of Assembly resolves to make provision, for calling in, and sinking, the paper certificates of money, which had been issued by the Provincial Congress—The House declines doing business—Goes in procession to St. Philip's Church—Sends a message to the Governor, asking leave to adjourn—The Governor replies by message, styling the House “Lower House;” which, is resented by the Commons—Messages respecting it—The Governor declines giving the House

leave to adjourn; and hopes they will make provision for the public debts—The Commons forbear doing so; as they found it might be done more with the public sentiment, in another way—Arthur Middleton moves to attach estates of, and excommunicate, Non-Associators—Another case of tarring and feathering—Upon which, the Governor sends a message to the Commons—Their reply; which is the last communication they have by message, with the Governor—They do no business, after this—Dr. Milligan, flies—The Governor's mode of speaking—Declaration of alarm, is published, by the Council of Safety—Twelve companies of Charlestown Volunteers choose Delegates—who remonstrate to the Council of Safety—Proceedings thereon—Council of Safety, unpleasantly situated—The companies, return to their duty—Honorable conduct of the German Fusileer company—Gov. Campbell corresponds with disaffected leaders, in the back country; and encourages disaffection—Kirkland goes on board the sloop of war Tamer—A scheme fallen upon, to obtain intelligence from the Governor—His dialogue with Cheney, and McDonald—Proceeding of the General Committee thereon—Arthur Middleton, moves that the Governor be taken into custody—Negatived—The Governor's correspondence with the back country, and his late dispatches from England, are demanded: but, they are refused—The General Committee recommend to the Council of Safety, to take possession of Fort Johnson—The Council issues orders for so doing—Gov. Campbell goes on board the Tamer; and from thence, sends a detachment to dismount the guns of Fort Johnson—That fort is taken by Lieut. Col. Motte, with three companies of Provincial Troops—Gov. Campbell issues a proclamation, dissolving the General Assembly—And taking the Great Seal of the Province with him, he takes refuge on board a sloop

of war—Lieutenant-Governor's Bull's conduct, compared with that of Governor Campbell.

THE middle of September was an eventful era, in the revolutionary history of South-Carolina; for, on the 15th day of that month, the Provincial Troops,* by order of the Council of Safety, took possession of Fort Johnson, commanding the entrance of Charlestown harbour—the Commons-House of Assembly was dissolved, by the proclamation of Governor Campbell—and, his Excellency, alarmed for his own personal safety, left Charlestown, and took refuge on board the Tamer, sloop of war, then lying in the roads. And, on the 16th day of the same month, the treaty of pacification, was interchangeably signed at the camp, near Ninety-Six Court-House.

The causes, which influenced this last event, have been set forth in the preceding chapter; and for the purpose of arranging the political aspects of the Colony to the same point of time, we shall now proceed to review what took place in the lower parts of South-Carolina during the summer; and while, the Commissioners were among the disaffected settlers, of the upper country.

When Lord William Campbell landed in Charlestown on the 18th day of June 1775, as Governor and Commander in Chief of this Province; he found the General Assembly were to meet the next day, agreeably to their last adjournment by Lieutenant-Governor Bull. Being unprepared to communicate with them at so early a period after his arrival, he prorogued the

* The newly raised regiments, were so called.

General Assembly to Monday the 10th day of July then next ensuing.*

What was the situation of the Council of Safety at this time, and what the parties, of which it was composed, have already in a great measure been shown, in the eighth chapter of this work. And, to that situation, and to those parties, must be attributed, as well the slow advances which were made in procuring arms and ammunition, as in fortifying Charlestown against the attack of British vessels and troops.

The 10th of July having now arrived, to which day the General Assembly had been prorogued by Governor Campbell, the two Houses convened in their several chambers, agreeably to the tenor of such prorogation. At this time, the Commons-House of Assembly,† were at open variance with the Privy Council; whom they would not consider as an Upper-House; and scarcely would allow them to be any House at all: although, ever since the province had been under the King's government, they had conducted public affairs with them, as a component part of the government.‡ Under such influences, union of sentiment was scarcely to be expected, at a crisis when it was so much required: and without farther preparation, the Commons were summoned to attend his Excellency

* Journals of the Commons-House of Assembly for 1775, page 83.

† The House of Assembly, consisted of 48 members; of whom, *one sixth* were also members of the Council of Safety: most of the members, were also members of the Provincial Congress—and two, were members of the Secret Committee. See Appendix to this Chapter, No. III.

‡ At this time the Privy Council consisted of Lieutenant Governor Bull, Sir Egerton Leigh, *Baronet*, John Drayton, Daniel Blake, John Burn, Thomas Skottowe, John Stuart, Thomas Knox Gordon, and Thomas Irving.—*Clerk*, James Simpson—*Messenger*, John Mills—*Doorkeeper*, Benjamin Lord.

Lord William Campbell in the Council Chamber; where, he delivered to his Majesty's Council, and to the Speaker and Gentlemen of the Assembly, the following Address:

“ Honorable Gentlemen of his Majesty’s Council,
“ Mr. Speaker, and Gentlemen of the Assembly,

“ His Majesty’s Instructions, my own inclinations, and the very alarming and critical situation of the province, have induced me to meet you in General Assembly, as soon as was consistent with that attention necessary to be paid to your own private affairs at this season. My appointment to the government of this province, entitled on every account to my warmest wishes and endeavours for its welfare and happiness, was to me a most pleasing mark of his Majesty’s favour; as I flattered myself that with your assistance and advice, I should have been able to prosecute such schemes, and concur in such measures, as would have contributed to increase that prosperity to which, I saw it so rapidly advancing, when I was last in this province. Filled with these sentiments, and elated by those hopes, it is not easy to conceive my grief and disappointment at finding the province in the distracted state it is now in: the legal administration of justice obstructed—government in a manner annihilated—the most dangerous measures adopted—and acts, of the most outrageous and illegal nature, publicly committed with impunity. It is by no means, either my duty or my inclination, to enter into a discussion of the disputes that at present unhappily subsist between Great Britain and her Colonies in America; but, I think myself indispensably bound, to warn you of the danger you are in; and to inform you, that if you apprehend the people of this province now labour under any grievances; the violent measures at present adopted,

are not calculated to remove them; but on the contrary, cannot fail of drawing down inevitable ruin on this flourishing Colony.

“ Let me, therefore, Gentlemen, most earnestly entreat you, as the only legal representatives of the people in this province—the only constitutional guardians of its welfare—and, who are so deeply interested in the event of the measures now carrying on—to deliberate, to resolve, with that temper, coolness, and moderation, the important instant demands; and to reflect, that the happiness or misery of generations yet unborn, will depend on your determinations.

“ These sentiments, flow from a heart filled with a fervent zeal for the real interest and happiness of this province; and you may be assured, if ever it is in my power, to be in any degree instrumental in restoring that harmony, cordiality, confidence, and affection, which ought to subsist between Great Britain and her Colonies; I shall esteem those moments, the happiest, and most fortunate of my life.

“ WILLIAM CAMPBELL.

“ *Council Chamber, July 10th, 1775.*”

On Wednesday, the 12th of July, the Commons-House of Assembly attended upon his Excellency the Governor in the Council Chamber; when, they presented to him the following answer to his Address:

“ May it please your Excellency.

“ We, his Majesty’s loyal subjects, the Representatives of the inhabitants of this Colony, met in General Assembly, at ‘*this very alarming and critical*’ period; beg leave to assure your Excellency, that we are willing to postpone the consideration of our private

affairs, whenever the public exigencies demand our attention: fully convinced, that the safety of private property entirely depends, upon the security of public rights.

“ We most sincerely lament, that his Majesty’s Councils, and the conduct of his Ministers, have incapacitated us from meeting your Excellency, (whose zealous endeavours in Great Britain for the welfare of this Colony, claim our grateful acknowledgements,) with those expressions of joyful congratulation, (the effects of real sentiments,) upon your arrival and assumption of the reins of government, with which in happier times, we have ever been accustomed to meet, his Majesty’s Representatives: but, the calamities of America, our present dangerous and dreadful situation, occupy all our thoughts, and banish from us every idea of joy or pleasure.

“ Although we will not doubt the fervent zeal of your Excellency’s heart, for the real interest and happiness of this Colony; nor, the sincerity of your Excellency’s professions, to be instrumental in restoring that harmony, cordiality, confidence, and affection, which ought to subsist between Great Britain and her Colonies; yet, we cannot but express our surprize at the severe censures, which your Excellency has thought proper to pass on ‘*measures; which have been adopted,*’ by the good people of this Colony, in confederacy with all the Colonies on this continent, from Nova Scotia to Georgia, for their own safety; and, for the preservation of their liberties, and the liberties of generations unborn.

“ In times, when the spirit of the constitution has full operation, and animating all the members of the state, gives security to liberty; then, we claim to be ‘*the only legal Representatives of the people in this*

province—the only constitutional guardians of its welfare: but, in the present unhappy situation of affairs, though our constituents might have thought us competent, yet, as our meeting depended upon the pleasure of the Crown, they would not trust to so precarious a contingency, but wisely appointed another representative body, for necessary, for special, and important purposes.

“ We want words to give an idea of our feelings at your Excellency’s expression ‘ *If there are any grievances that we apprehend the people of this province labour under;*’ as if you doubted, their existence. The world, resounds with the catalogue of them; your Excellency surely, cannot be unacquainted with them. We should have esteemed it an high obligation, if your Excellency had pointed out to us, what effectual mode for the redress of those grievances could have been pursued; or, what steps we have omitted which we ought to have taken, in order to avert the inevitable ruin of this once flourishing Colony. Every pacific measure which human wisdom could devise, has been used—the most humble and dutiful petitions, to the Throne—petitions, to the House of Lords—and House of Commons of Great Britain—have been repeatedly presented, and as often treated not only with slight, but with rigour and resentment. We therefore, with all due deference to your Excellency’s judgment, beg leave to observe, that the present are the only measures, which seem best calculated for our preservation, and removal of our intolerable grievances. However, not confiding in them alone, we wait the event; and leave the justice of our cause to the Great Sovereign of the Universe; upon whom, the fate of kingdoms and empires depend.

“ By order of the House,

“ RAWLINS LOWNDES, Speaker.

“ July 12th, 1775.”

To this answer of the Commons-House of Assembly, his Excellency was pleased to give the following reply:

“ Mr. Speaker, and Gentlemen.

“ Immediately after my arrival in this province, it was intimated to me by your Speaker, and some others of your members, that it would be convenient for your private affairs, if I delayed meeting the General Assembly for about three weeks; on that account alone I consented to it: and therefore, little expected the tacit reflection, contained in the beginning of your address.

“ As I have already declined entering into any discussion of the present unhappy disputes, I shall not undertake the disagreeable task of replying particularly to your address. It was my duty, to lay before you, the fatal consequences that I apprehend must ensue, from the measures lately adopted; and I have faithfully and conscientiously discharged it; but, as they appear to you in so different a point of view, as even to meet with your approbation; I most sincerely lament, that I cannot prevent the ruin I foresee—and, shall only add my fervent wishes, that the Great Sovereign of the Universe, (to whom you appeal) will in his goodness, avert those evils, with which this country is eminently threatened.

“ WILLIAM CAMPBELL.

“ *July 12th, 1775.*”

To which the Commons responded by message in the following manner:

“ May it please your Excellency.

“ We beg leave to assure your Excellency, that this House in their address, were far from intimating

any the least reflection on your Excellency's conduct, in not meeting us sooner in General Assembly; and are sorry, your Excellency should view it in that light. All we meant was, to assure you how ready we shall ever be, to sacrifice our private interest to the public service; at the same time acknowledging your Excellency's goodness, in so readily consenting, on the application of our Speaker to postpone the calling of the General Assembly, to the time you fixed for their meeting; of which, this House had been duly informed by their Speaker.

“ By order of the House.

“ RAWLINS LOWNDES, *Speaker.*

“ *July 12th, 1775.*”*

While these complaints and explanations were passing, between the Governor and the Commons-House of Assembly, the House was informed, that during the recess of the General Assembly the people of this Colony were greatly apprehensive of instigated insurrections of slaves, and depredations from Indians,—and others: and that the Provincial Congress to guard against those evils, had resolved to raise two regiments of foot, and one regiment of rangers—and, that certificates to the amount of one million of pounds current money should be issued, for the pay and support of that body; and for defraying the expense, that may be incurred in the defence and preservation of this colony: and it appearing that such measure was absolutely necessary, the House on the 12th of July, resolved, (*nem. con.*) “ That this House will as soon as may be, make provision for calling in and sinking the said certificates, or such part thereof, as may be issued and necessarily expended in the said service.”†

* See Journals of the Commons-House of Assembly of So. Ca. for 1775, pages 83, 85, 86, 87, 90, 91.

† Ibid. pages 88, 89

At this time, the temper of the Commons was such, that they would not proceed on the Provincial affairs, which had been customary heretofore, in their legislative capacities; but their House was adjourned from day to day, (Sundays excepted,) without doing any business until the 20th day of July: which, having been appointed by the Continental Congress as a day of fasting, humiliation and prayer, the House then went in procession with the Mace* before them to St. Philip's Church; where, a sermon suitable to the occasion, was preached before them, by the Reverend Robert Smith. This sermon, no doubt assisted in confirming their patriotism, and settling their determinations; for on the next day, (July 21st,) a message to his Excellency was reported by a Committee, stating, that “as the calamities of America, arising from the arbitrary, oppressive, and sanguinary measures of his Majesty’s Ministers, fill us with the deepest concern, and now engage the attention of this continent; and as our own dangerous and dreadful situation has impelled the good people of this Colony, for their own preservation during the recess of this House, to a conduct, which your Excellency has been pleased to answer—as we have no hopes at this time, that our continuing to sit, can be of any real service to our constituents. We, therefore, request that your Excellency will be pleased to give this House leave to ad-

* This Mace is now the only remnant of Provincial Royalty among us. Lord William Campbell would have taken it with him, when he took the Great Seal of the Province, but it was fortunately not under his control. It is made of silver, gilded over with gold; and is supposed to have cost about two hundred guineas. It is about four feet long, and of some considerable weight; being surmounted with the Crown and Great Seal of England: around the verge of which, are the two faces of the Provincial Seal of South-Carolina highly embossed, and other ornamental devices. This Mace, was mislaid for many years; but was discovered in one of the Banks at Philadelphia, where it had been lodged for safe keeping; and is now in the Secretary’s office at Columbia in South-Carolina.

journ to the first day of November next; hoping by that time, our gracious Sovereign, may be induced to put a stop to the further effusion of blood; and restore freedom and happiness to as loyal subjects, as any in his dominions.”* When it came on to be considered, an opposition arose; and after some debate, it passed in the negative. However, another message was prepared and sent to the Governor, in the following words:

“ May it please your Excellency.

“ After the maturest deliberation upon the present calamitous state of affairs in America, we are sorry to acquaint your Excellency, we have not the least prospect that our longer sitting at this time, can be of any real service to our constituents: we, therefore, request, that your Excellency will be pleased to give the House leave to adjourn till the first day of November next.

“ By order of the House.

“ RAWLINS LOWNDES, *Speaker.*

“ *July 21st, 1775.*†

From this time, the House was adjourned by the Speaker from day to day, without doing any business until the 24th of July; when his Excellency returned an answer to the above message. But, the same being addressed to Mr. Speaker and Gentlemen of the *Lower-House* of Assembly; a message was forthwith sent to him by the House, stating, that “ We are sorry to find by your Excellency’s message just received, that your Excellency has adopted a style in your address, which has heretofore occasioned much altercation

* Journals of the Commons-House of Assembly for 1775, page 93.

† Ibid. page 94.

between this House, and his Majesty's Council. The style of *Lower-House*, is by no means applicable to us; it implies, that there is *another House* in this *Colony*, dignified with the appellation of Upper-House of Assembly; which, we absolutely deny; and in all our proceedings have objected to. The King, styles us The General Assembly: and by that term, or, that of Commons-House of Assembly, all our proceedings are and ought to be conducted.

“ We are hopeful this innovation has proceeded from inadvertence, and not design in your Excellency; and therefore have no doubt but the message, which we herewith beg leave to return, will be amended by your Excellency; and the justly exceptionable style altered; as we cannot receive or admit in our Journals, an address derogatory to the honour and dignity of this House.

“ By order of the House.

“ RAWLINS LOWNDES, *Speaker.*

“ *July 24th, 1775.*”*

To the Committee who carried this Message, his Excellency replied, that “ he would send an answer thereto, as soon as it was convenient for him so to do.”† And the House adhering to its determination of doing no business, continued to adjourn as usual from day to day, until Saturday the 29th of July; when a message was sent by the Governor to the House in the following words:

“ Mr. Speaker, and Gentlemen of the Commons-House of Assembly.

“ In answer to your message of last Monday, I beg to acquaint you, that in my message of that day,

* Journals of the Commons, &c. for 1775, p. 95.

† Ibid. p. 94, 95

it was not my intention to adopt any unusual style; and it is very far from being my inclination either to begin, or revive altercations of any kind. I am too much affected, with the melancholy situation of this province—too much distressed at the dreadful prospect before us, to enter into disputes about mere words: I wish to give you an opportunity of discharging your duty to your Sovereign, and to your country.

“ I therefore send you back my message of Monday last, with the word, you think, exceptionable, omitted; but, as I intended no innovation, nor any invasion of your just privileges; I declare on the other hand, that I would by no means be understood to weaken those rights and privileges, to which the second branch of the Legislature is legally entitled.

“ WILLIAM CAMPBELL.

“ *July 26th, 1775.*”*

The difficulty existing being so removed, the Executive Message which had been sent on the 24th was (having been altered) now received, as follows:

“ Mr. Speaker, and Gentlemen of the Commons-House of Assembly.

“ In answer to your message sent to me last Friday, I inform you, that in the present calamitous state of affairs in America, and the alarming and distressed situation of this province, I cannot, consistent with my duty, deprive myself of your assistance, at so dangerous and critical a juncture: therefore, I am extremely sorry, I cannot comply with your request, to give you leave to adjourn to the first of November.

* Journals of the Commons, &c. for 1775, p. 96

“ As I am informed from the Treasurers, that the public accounts for several years back have been already laid before you; I naturally concluded you would think it of real service to your constituents, to make a constitutional provision for the public debts: I beg to recommend this important business to your attention; not doubting but that you are always willing to postpone the consideration of your private affairs, when the public exigences demand your attention.

“ WILLIAM CAMPBELL.”

“ *July 24th, 1775.*”*

During all this time, although the Commons-House of Assembly would not proceed to any business in concurrence with the Governor, it must not be supposed, the service of the Colony was neglected. For the greater part of these very Commons, were members either of the Provincial Congress, the Council of Safety, or the General Committee: and in one or other of those capacities, they were aiding the common cause; while, as members of the Assembly, they were communicating with the Governor, and pressing his permission to adjourn. It was during this time, that the Provincial Association was required to be signed by all persons in the Colony; and those who refused doing so, were treated in such manner, as has been already related. It was during this time, that Arthur Middleton moved in the General Committee, to attach estates in cases of flight; and for excommunication, (except for marketing and reference to public offices,) of all those persons, who should refuse to sign the Association. And, although in pressing vigorous measures, he often stood alone; yet, he was not thereby discouraged, from bringing them again into considera-

* Journals of Commons, &c. for 1775, p. 97.

tion, when more favorable opportunities offered. It was during this time, that William Henry Drayton and the Reverend William Tennent were progressing through the upper parts of the Colony; for the purpose of uniting the people, and counteracting Governor Campbell's endeavours to organize a force there on the part of the Crown. And it was during this time, that the Council of Safety were really acting as the Executive of the Colony—directing measures throughout its extent—encouraging the raising of troops—providing the means of maintaining them—corresponding with our Delegates in the Continental Congress—and superintending every measure of domestic or foreign necessity. It was at this time, that the King's Judges were completely dislodged from their seats on the bench, by the trying ordeal of the Provincial Association: and that the courts being purged of placemen, were cleansed for the reception of Judges, possessing the confidence of the people, for whose safety, they were to sit in judgment. Such, were the important events, which the period we refer to brought forth: in addition to which, the Continental Congress about this time recommended that each Colony make provision by armed vessels or otherwise, for the protection of their harbours and navigation in their sea-ports; against all unlawful invasions, attacks, and depredations, from cutters, and ships of war.

The Commons-House of Assembly, gave no consideration to the Governor's message of the 24th July; as they had ascertained, that the public accounts could be provided for, in another manner, than through the medium of the General Assembly. They therefore, did not as much as answer the same: but solaced themselves for being continued in session against their will, by adjournments from day to day.

During this time, Captain Lempriere in the sloop Commerce, took the powder out of Captain Loft-house's brig; the circumstances of which have been related. And on the 11th day of August, another case of tarring and feathering took place in Charlestown; to the great disquietude and perturbation of the Crown officers, and Non-Associators. In a letter of the 12th of August 1775, written by Arthur Middleton, one of the Secret Committee, to William Henry Drayton, also a member of that Committee, and who was then in the back parts of the Colony on his progress; he touches on this matter and says, "A Mr. Walker, Gunner of Fort Johnson, had a new suit of clothes yesterday, without the assistance of a single taylor. His crime, nothing less than damning us all. During his circumnavigation, he was stopped at the doors of the principal Non-Associators; and made to drink damnation to them also: not excepting, our friend Sr. Wm. on the Bay." Peter Timothy also, who was then Secretary to the Council of Safety, in a letter to Mr. Drayton at the same time says, "Yesterday evening, the Gunner of Fort Johnson (one Walker) had a decent tarring and feathering, for some insolent speech he had made: there is hardly a street through which, he was not paraded; nor a Tory house, where they did not halt: particularly Innes', Simpson's, Wragg's, Milligan's, Irving's, &c. &c. &c. At Fenwicke Bull's they stopt—called for grog—had it—made Walker drink *Damnation to Bull*—threw a bag of feathers into his balcony—desired he would take care of it, till his turn came—and, that he would charge the grog to the account of Lord North. Finally the wretch was discharged at Milligan's door. The people, were in such a humour, that I believe there was scarce a Non-Subscriber who did not tremble: and Wells,* had his shop close shut."

Mr. Middleton's letter of the 12th of August also stated, that "A Committee is appointed,* and will sit on Tuesday to receive the answers of the Non-Subscribers, whether they will swallow the oath or not. Doctor M's answer to the messenger who summoned him was, 'That he should not take the oath; and he did not know whether he should obey the summons:' this answer, preceded the show of yesterday; whether that will alter his tone or no, I cannot say.

" Nothing has yet been concluded upon, but the tender of the oath to those people—I have twice pushed hard for the '*Resolution for attaching estates in case of desertion;*' but, have not been lucky enough to get a second—the matter, however, is not *rejected*, only *POSTPONED*. ***** Postponator, declares the resolution not proper to proceed from the Committee of South-Carolina: and so arbitrary—that nothing but the Divan of Constantinople, could think of promulgating such a law. I still, however, do not despair; and shall make another trial or two; for I believe at last the state motto must be, '*Urgendo Vincimus.*' "

In consequence of the above exhibition of tar and feathers, his Excellency the Governor on the 15th day of August resumed his communications with the Commons-House of Assembly; by sending them a message on the subject, in the following words:

" Mr. Speaker, and Gentlemen of the Commons-House of Assembly.

" When I declined, some time ago, to comply with your request to adjourn, I too plainly foresaw the

* This Committee consisted of Messrs. Pinckney, Roberts, Middleton, Powell, Heyward, Scott, and Bee.

unhappy extremities to which many of the people of this province were hastening; and, I had too good grounds to apprehend I should want your assistance and advice: since that time, I have had the mortification of being a spectator of outrages, I little expected ever to have seen in this place: I will confine myself, to a very few.

“The officers of the Crown have been called on, to give reasons for refusing to sign an Association, that was contrary to every tie of duty and allegiance. I now see the same officers summoned in the like arbitrary and illegal manner, to have an oath tendered to them, equally incompatible, with their consciences and honour.

“The barbarous outrage committed in the streets of this town last Saturday, on a poor, helpless, wretched individual; with the particular circumstances of insult, and cruelty attending it, I forbear to dwell on.

“In a word, Gentlemen, you well know, the powers of Government are wrested out of my hands. I neither can protect, nor punish. Therefore, with the advice of his Majesty’s Council, I apply to you; and desire, that in this dreadful emergency, you will aid me with all the assistance in your power; in enforcing the laws, and protecting his Majesty’s servants, and all other peaceable and faithful subjects, in that quiet possession of their liberty and property, which every Englishman boasts it is his birthright to enjoy; or, you must candidly acknowledge, that all law, and all government, is at an end.

“Sorry am I to add, that some particular insults offered to myself, make it necessary that I should be

assured of the safety of my own family; and that its peace, is not in danger of being invaded.

“ WILLIAM CAMPBELL.

“ *August 15th, 1775.*”*

Immediately on the reading of this message, it was referred to a Committee consisting of Mr. Brewton, Col. Parsons, Mr. Bee, Mr. Heyward, and Col. Powell; and they were directed to prepare, a suitable answer. And, on Friday the 18th day of August, an answer so prepared by them, and being approved, was sent to the Governor by Mr. Ferguson and Mr. Bee, in the following words:

“ May it please your Excellency.

“ When we applied to your Excellency for leave to adjourn, it was because we foresaw that we should continue wasting our time, without a possibility of rendering any effectual service to his Majesty or to our constituents; we are sorry to inform your Excellency, that the same inauspicious project still continues.

“ The desolating measures pursued against a sister colony, and the calamities of America in general, have awakened in the good people of this Colony, every apprehension of danger to their lives, liberties, and properties; and, as they in particular have suffered many years under the oppressive hand of an arbitrary ministry, it would not be surprizing if they should be drawn to the most unhappy extremities.

“ When civil commotions prevail, and a people are threatened both with internal and external dangers, they would be unwise not to entertain a jealousy of

* Journals of the Commons-House of Assembly for 1775, pages 100, 101.

intestine foes; and take every precaution to guard against their secret machinations. For this purpose, the inhabitants of this Colony have been impelled to adopt certain measures; which, although not warranted by any of the written laws; yet, in our apprehension, are more justifiable and constitutional than many of the late acts, of the British Administration.

“ In times like the present, when a whole continent is engaged in one arduous struggle for their civil liberties; if individuals will wantonly step forth, and openly censure and condemn measures universally received and approved; they must abide the consequences. It is not in our power in such cases, to prescribe limits to popular fury.

“ Upon inquiry into the circumstance of last Saturday, of which your Excellency so pathetically complains; we have been told, that the populace enraged by the daring and unprovoked insolence of a person, (who although he was supported by the public, and ate the country’s bread, openly and ungratefully uttered the most bitter curses and imprecations, against the people of this Colony, and of all America,) had seized him; and after a slight corporal punishment, had carted him through the streets.

“ This we confess was an outrage: at the same time, your Excellency must do us the justice to own, it was not in our power to prevent it; and, we appeal to your Excellency, if the punishment which we suppose to be more alarming from its novelty, than its severity, was equal in any comparative degree to that, which your Excellency knows is frequently inflicted by an English mob, upon very petty offenders—surrounded by an active magistracy—and even, in full view of their Majesties’ palaces.

" We are sorry, that any particular insults should have been offered to your Excellency; or, that you should have any reason to apprehend the peace and safety of your family is in danger of being invaded.

" We hope and trust, that your Excellency's wise and prudent conduct, will render such apprehensions groundless; and your Excellency may be assured, that on our part, every endeavour will be used to promote and inculcate a proper veneration and respect for the character of his Majesty's Representative.

" By order of the House,

" RAWLINS LOWNDES, *Speaker.*

" *August 18th, 1775.**

This message of the Commons-House of Assembly, was the last communication which they had with his Excellency Lord William Campbell: it being the last entered on the Journals of that House. And it is worth noting in this place, that no business of whatever kind, is afterwards recorded in the Journals; except, that they adjourned from day to day, until they were finally dissolved by Governor Campbell's Proclamation issued for that purpose. The message also, stamps a character upon that House both collectively and individually, highly honorable to them as subjects, and as patriots. In the first character, they had not been backward in petitioning the Throne for a redress of their grievances; neither had they withholden due compensation and support to his Majesty's officers. In the last, finding all efforts of conciliation vain; they declined acting in a legislative capacity: and when this call was made upon them by Governor Campbell, in which he stated how much he had fallen from his high station of power, and how much he required their

* Journals of the Commons, &c. for 1775, p. 102, 103.

assistance “in enforcing the laws, and protecting his Majesty’s servants;” although they were obliged to come forth in a reply, yet they could not so far forget the duties which they owed to their constituents and their country, as to comply with his wishes: but, manfully, and independently putting aside the curtain, under which they had long endeavoured to harmonize with the public authorities; they at once came forth, the asserters of their country’s rights—and the supporters of a righteous cause.

Soon after the Commons-House of Assembly had so delined any interference, against the popular commotions, Doctor Milligan, Chief Surgeon to all the Garrisons for his Majesty’s Forces in South-Carolina, fled from Charlestown: an account of which is humorously given by Arthur Middleton, in a letter of the 22d of August 1775, to William Henry Drayton, in the following words: “Milligan has taken himself off—his flight, was precipitate—he skulks between the fort, and the Tamer. I don’t know that he had any pressing necessity, for such a manœuvre; but undoubtedly he longs to be a great man, and by this step, has begun his career of glory. Probably, he had an unconquerable dislike to the mode of clothing lately adopted, in these scarce times—and, by no means wished, to be exalted* in this damned hot country; but, would rather have a high place in Scotland.” He farther stated, that “Our great, noble, and most excellent Governor, has found out a mode of talking over, some of our statesmen; he wheedles—and assures—and reasons—and cries—like any thing!—and how is it possible to withstand such reasoning? Mr. I. S. (the Lieutenant-Governor according to —

* The term *exaltation*, was about this time used, for hanging, or exposing a person, tarred and feathered, in a cart.

—) is a very good friend to this country; and, has nothing at all to do with politics. Mr. I. is a very good man—he loves the Governor—and the Governor loves the country—Ergo—you may draw the conclusion. There is, however, one unanswerable argument in favour of this connexion of the noble Lord; that his lordship cannot possibly do without him."

Mr. Timothy, Clerk of the Council of Safety, by his letter also of the same date to Mr. Drayton, stated, that the "fishing season is over here; the hurricane season being come in. We have thought it necessary, that all the Tories' boats, should be laid up; their carriages, for some time are no better than broken down—and their horses, than foundered. Jerry,* was hanged last Friday: more force was exerted for his being saved, than there would have been for you or me—unless for our exaltation. Pinckney,† does not retreat—he comes forward bravely. I wish you and Mr. Tennent were alongside of him at the table." He also mentioned, "This week will be spent, in matters relative to our election. The merchants, (say gentlemen concerned in trade,) at a meeting to-day, either have, or will, nominate ten of their body to represent them in the ensuing Congress. At a previous meeting, they proposed fifteen for their quota—then twelve—and at last, condescended to be content with ten. The Germans, have taken the alarm, and had a meeting. And, the mechanics, are not thoroughly pleased; they also, will have a meeting this week.

* Jerry was a Negro man; the charge on which he was executed, was a conspiracy to excite an insurrection of the slaves, and to set fire to Charlestown. It was also said the principal charge was, that Jerry said "if the British ships come here, he would pilot them over Charlestown Bar." Jerry was a pilot.

† Col. Charles Pinckney, one of the Council of Safety.

In regard to war, and peace—I can only tell you, the plebeians are still for war: but the noblesse, perfectly pacific."

Such were the opinions which prevailed, and the situation of affairs, in the lower parts of the Colony; particularly at Charlestown about the latter end of August 1775. At this time, the powder taken by Lempriere was landed at Cuanning's Point, as has been already related; and Captain Darrel's brig was now on the coast, with an additional supply of muskets, powder, and other warlike stores.

In consequence of the disturbances in the back country, and the communications, affidavits, and intercepted papers, which had been transmitted from thence by William Henry Drayton, and the Reverend Mr. Tennent, to the Council of Safety, that body on the 5th of September had published a Declaration of Alarm to the militia, according to the Militia Act: * they had also placed the Charlestown regiment of militia under such regulations for default of duty as existed in times of actual alarm; "subject and liable, to all the pains, penalties, forfeitures, and disabilities, expressed and set forth, in, and by, any of the militia acts of this Colony."

Upon this, twelve companies of Volunteers, in that militia regiment, who had enrolled themselves in consequence of the resolution of the Provincial Congress in June for forming volunteer companies, and who were well clothed and armed, and diligently attended their military exercises, alarmed by some evil designing persons among them, and who had associated with them only to screen themselves, chose persons from

* See Council of Safety's Journal, No. 3. page 187.

each company whom they styled Delegates; in order, to oppose the Declaration of Alarm, which, the Council had so promulged. On the 12th of September, they prepared a remonstrance, and on the 14th they presented it to the Council of Safety.* Among other matters, it stated, “That upon inquiry into the cause of the Declaration, they had received no further information, than that it was intended to compel such of the inhabitants of the town as were not enrolled in any company, or do no duty, to enlist themselves immediately for that purpose.” That “if this was the only intent and meaning of the Declaration, they remonstrated in the strongest manner against an act, which, if carried into execution, would subject them to a severe and unmerited punishment and oppression: and like those of the British Parliament respecting the Colonies, would involve in one common punishment the innocent, with the guilty.” That, “they humbly conceived, that some mode may be adopted for the compelling such delinquents imminently to enlist themselves into militia companies, and to do duty, without subjecting the volunteer companies to such hardships and grievances for their neglect; as they apprehend, the same authority which subjects the innocent to the pains and penalties contained in the said act, would fully authorize their extension to the objects, who are really deserving of them.”—“Therefore, they request, that the Declaration of the fifth instant before alluded to, may be entirely done away.”

On the 19th of September, the Council of Safety sent their answer to the Coloael of the regiment. And to evince the condescension of the Council, and the pains they took to remove the apprehensions of the twelve United Volunteer Companies as they termed

themselves; the Council went fully into the propriety of the measure—and gave their reasons, which induced them to maintain it.* They also wrote a letter on the subject, to the Delegates.† On the 30th of September, the Volunteer Companies' reply, was delivered to the Council of Safety; but the Council postponed the consideration of it—and never afterwards resumed it.

In the mean time, the Volunteer Companies on the 16th of September, presented a petition to the General Committee on the subject of their supposed grievances; which the Committee answered on the 20th, and to which, they replied on the 30th day of September. The discontent of the companies, and their trying their influence with these two high authorities, gave much anxiety both to the Council of Safety, and the General Committee; and so much were their unfavorable appearances, that it was not deemed expedient to issue any orders to them, fearing an open disobedience would ensue. The Council, therefore, let the matter rest; in order to afford time for the companies to reflect, and cool, upon their own conduct; and the manner in which they had treated the authorities, under whose command they had placed themselves. Such transactions, afforded but a poor basis for the defence of Charlestown, in case of an attack from the British men of war; and these things,

* Council of Safety's Journal, No. 3. p. 222.

¶ It is much to be regretted copies of these Documents, cannot be introduced into these Memoirs; as No. 3. of the Council Journal, was, during the revolutionary war, taken by persons unknown, from the place where the books of the Council of Safety were deposited. The references, however, are correct; as they are taken from the manuscript of William Henry Drayton; and from which, the above account of the companies is transcribed.

† Council of Safety's Journal, No. 3. p. 242.

were noted with secret pleasure by the disaffected; and were treasured up in the bosom of Lord William Campbell for use, in time of need. One rash step of these companies, led to another; and the public mind was much shaken and disturbed thereby. At length, reason, and a just sense of conduct resumed the helm: and on the 9th day of October, the company of Light Infantry led the way of reconciliation by offering their services to the Council of Safety, without any condition or reservation: and this was followed by other companies, in like manner. In all these transactions, the company of German Fusileers maintained themselves in subordination, and in a patriotic and military conduct; which was highly honorable to that company. For, it had never allowed itself to question the propriety of the Declaration of Alarm, which the Council had issued; or the consequent resolutions which had taken place in the Council, respecting that executive measure: neither was the company ever tainted with the spirit of discord, or of disobedience, which, had so unfortunately visited the other Volunteer Companies.

These disturbances, and the cloudy prospect of public affairs, much discouraged the majority of the Council of Safety who were then in Charlestown; and induced them, by a letter which they wrote to our Delegates in the Continental Congress on the 18th of September,* to draw a gloomy picture of things, indicating their anxiety respecting the course of public affairs.

Equally anxious, but for other reasons, Lord William Campbell, was arranging in his mind the situation of the Council of Safety, as influenced by the

* Council Journal, No. 3. p. 242.

insubordination, which had taken place among the Volunteer Companies. He saw the energy of the Council, was thereby affected; and was hopeful, the existing confusion might be turned to some advantage, towards reinstating the authority of his Royal Master. Under these persuasions, he continued his endeavours of counteraction, with the disaffected leaders in the back country; and in so doing, he followed the same line of conduct, (no doubt by the particular encouragement of the Earl of Dartmouth,) as that noble Lord had recommended in his Letter No. 16, dated at Whitehall, May 3d, 1775, to Governor Martin, respecting the four counties of Guildford, Dobbs, Rowan, and Surry in North-Carolina.* It was not, however, easy to obtain full proof of Governor Campbell's conduct in these particulars, as he was extremely cautious to whom he entrusted his confidences and dispatches. However, those who had seen some of his letters, *upon oath declared, that he advised them to strengthen their party, and promised to reimburse their expenses.* In particular, in a letter of his on the 29th of August to Moses Kirkland, he acquainted him, that he had twice represented to Lord Dartmouth “the very meritorious conduct of the gentlemen in the back country;” and that “he shall not fail, by the next packet, to mention the fresh proof of their zeal for the King’s service.”

While Governor Campbell was so engaged, his correspondent Kirkland had offered to surrender himself on conditions, to William Henry Drayton, then in arms in Ninety-Six District; but Mr. Drayton declined receiving him in any other manner, than free of all conditions. Upon this, with two friends as guards,

* See Appendix to Chapter VIII. No. III. It will be recollectcd, that when the mail from England was seized by Wm. Hy. Drayton, John Neufville, and Thomas Corbet, the letter by that mail to Governor Campbell was not obtained; as it had been previously transmitted to him.

and in disguise, he fled by devious paths and nightly journeys, to Charlestown; where he arrived at night, on the 11th day of September: and repairing immediately to the Governor's residence in Meeting-street, he was there secreted until the next morning; when, his Excellency had him conveyed safely on board of the Tamer sloop of war. This political shuffle, however, was not effected by such a sleight of hand, but it was known on the 13th instant; for the General Committee possessing themselves of the person of one Baily Cheney, who had accompanied Kirkland from the country, put him to the question respecting the same: and thereby obtained from him, such information, as showed, that Governor Campbell held a very different correspondence with his friends in the back country, to that which he endeavoured to impose upon others in Charlestown: and more especially so, when in familiar conversation he had assured some of the members of the General Committee, "That applications had been made to him from that quarter; but upon his honour, he had discouraged the persons who applied; although they had informed him, their party was four thousand strong. That he had advised them to be quiet—to act the part of peaceable good citizens—and not to raise civil war, among themselves." This duplicity of the Governor, now urged farther measures towards him; the opportunity was favorable for testing his Excellency as to these different statements—Cheney was in their power—and through him, much might be effected. Encouraged, therefore, by this state of things, some gentlemen of the army fell upon a scheme for obtaining undoubted intelligence as to his Excellency's movements; which happily succeeded in the following manner.

Captain Adam M'Donald, of the first regiment of infantry, disguised himself as a back country Woods-

man, intending to pass himself off as Dick Williams, Cheney's companion. And having armed himself with pocket pistols, he associated himself with Cheney, and informed him what he purposed doing; at the same time telling Cheney, that as he was a disaffected person, and was known as such by Lord William, he must go with him, and assist, in executing the enterprize. That if he would accompany him to his lordship—introduce him to him as his companion—and assist him on the occasion—he should afterwards be set at liberty, and permitted to return to his family and friends; but should he act otherwise, or act in any manner, so as to frustrate the object of the visit—he would immediately blow out his brains. The promise of liberation, and the dread of punishment, had their effect; and Cheney agreed to act his part on the occasion. Accordingly, on the 13th of September, at ten o'clock at night, they went to Lord William Campbell's residence; where being admitted, and civilities exchanged, Cheney commenced the dialogue by asking his lordship if Mr. Kirkland was well—and if he had sent him any word, what to do?

Lord William. Come on board, as soon as you can: were you not before the Committee to-day?

Cheney. Yes.

Ld. Wm. What did they say to you; what did they take you up for?

Cheney. Because, I came down for a life-guard to Mr. Kirkland.

Ld. Wm. They could not hurt you, for coming down in company with him.

Cheney. I denied at first, that I came down in company with him.

Ld. Wm. I am sorry for that; you should always tell the truth—you ought not to fear these committees

—they can do you no harm. Is this one of your acquaintance? (pointing to Captain M'Donald.)

M'Donald. Yes.

Cheney. Yes.

M'Donald. I am serjeant to Captain Kirkland. I am as much concerned as any of them. I want to get out of town early to-morrow, and am afraid I shall be taken up by the Committee. I will carry safe any message or letter to Fletchall, Brown, or Cunningham.

Ld. Wm. I have nothing to send them; but tell them to keep all the men in good order—to make a circuit—and ride constantly round to one another.

M'Donald. I suppose, correspond with one another daily.

Ld. Wm. Yes, yes.

M'Donald. I suppose, they must not take up arms now?

Ld. Wm. No; not without they have animunition plenty; and think, they are strong enough.

M'Donald. They have not ammunition enough, and are not strong enough: for, Drayton is there, getting them over fast.

Ld. Wm. If they are not strong enough, by no means take up arms yet; but, they will be relieved in a little time.

M'Donald. How?

Ld. Wm. I could not have told you some time ago, but I can now: for I have a letter from the King;* and he is resolved to carry his scheme into execution, from one end of the continent to the other.

M'Donald. Will he send any soldiers here, between this, and the fall?

Ld. Wm. Yes, he will; and this will be a place of settled soldiers; and a seat of war shortly.

* The Swallow Packet, had arrived from Falmouth, with a mail.

M'Donald. I am much afraid lest the Committee should take me up, and punish me, or put me to death.

Ld. Wm. There is not the least fear of that; they dare not do any such thing.

M'Donald. But where shall I be safest; can you put me on board the man of war; and if I go there, what can I do with my wife and family?

Ld. Wm. (Addressing himself to Cheney.) I will put *you* on board to-morrow.

M'Donald. But, where shall I be safest?

Ld. Wm. No where safer, than in the town; for, the militia are all in an uproar, and are ready to turn the soldiers out of the barracks. They, are all now at variance, and will be more so, shortly.

M'Donald. Are you certain of this?

Ld. Wm. You may depend on it, as a fact.

M'Donald. Where, is Kirkland going now?

Ld. Wm. He has not determined on any thing yet; supplies are expected shortly.

Cheney. Suppose they take me up to-night again?

Ld. Wm. What if they do?

M'Donald. They will tar and feather him.

Ld. Wm. That is a bugbear; why don't they tar and feather me?

M'Donald. You are a great man, and the King will send soldiers to protect you; but he will not mind such poor fellows as we are. And if we were put to death, no more notice would be taken of it.

Ld. Wm. You will not be hurt; they dare not do any such thing; and they begin to repent of what they have done.

M'Donald. The Committee want Captain Kirkland very much.

Ld. Wm. What will they do with him, if they get him?

M'Donald. I heard that they said, they would put him to death.

Ld. Wm. What had he done?

M'Donald. I have heard that they said he accepted a commission, and quitted it in an improper manner; that he had deserted the cause, and deserved death; and, that he was a great villain.

Ld. Wm. Pho! pho! pho! They are a parcel of profligates, and worse than nothing, if I may name it—(*holding up his hands, and lifting up his eyes.*) And what have they themselves done, but got a parcel of people to sign a paper? and it is of no more consequence than that—(*snapping his fingers*)—if they don't like it: and, they will all be punished for it shortly,

They had also other conversation about Committees, whom Lord William abused very much. And as M'Donald and Cheney were going away, he said, “I have not time, to write now; and, indeed, am afraid to write; lest, the letter should be intercepted.”

This dialogue being reported to the General Committee by Captain M'Donald, excited universal indignation; and it was strongly urged, on the motion of Arthur Middleton,* that Lord William Campbell should be taken into custody: but a strong opposition headed by Mr. Lowndes, prevented the motion from succeeding. During this contest, Captain M'Donald, with eight influential and leading members of the General Committee, and who were in favour of the motion, were dispatched to Lord William with certain propositions; it being stipulated with them, that during their absence, no question should be put, rela-

* His letter to that effect, to William Henry Drayton, dated September 15th, 1775.

tive to the detention of Lord William: and they were directed to "demand from him, the perusal of his late correspondence with the back country—a communication of his late dispatches from England by the Packet—and, that he should deliver up Moses Kirkland who had been sent by him on board the *Tamer*."

The Committee met Lord William going to the river side—and upon being informed they had a communication to make him, he returned with them to his house. There, the subject being opened to him, he in the most positive terms, refused to comply with their demands: upon which, one of the eight members, returned to the General Committee, and reported to them what had passed, and the situation in which the other seven members were then placed. Thereupon, contrary to the stipulation, the matter of taking the Governor into custody was resumed; when, it passed in the negative, 23 to 16.

Affairs however, were come to a crisis, between the General Committee, and Lord William Campbell; and British troops were expected shortly to arrive in Charlestown: the General Committee, therefore, deemed it high time to take possession of Fort Johnson, commanding the approach from Charlestown to the sea; and they immediately recommended a measure of the kind, to the Council of Safety. The Council lost no time in issuing orders to that effect, to Colonel William Moultrie, then senior in command;* and on the next day, (15th Sept.) a detachment of artillery took post at the Bastions in the town, which were ready to receive them. So that at this time, there was an appearance of earnestness, and vigour, in the public measures.

* See Appendix to this Chapter, No. I.

In the mean time Lord William being relieved from his keepers, the members of the Committee who had waited upon him, went on board the Tamer; where, he remained some hours: but afterwards, returned to Charlestown. And during that night, his Secretary, Mr. Innis, with part of the Tamer's crew, landed at Fort Johnson; and entering the room of the person who there commanded, made him a prisoner. After this, they proceeded to dismantle the fort, by dismounting all the cannon therein; consisting of seven twenty-six pounders, twelve eighteen pounders, one twelve pounder, and one nine pounder; throwing them down from the platform, so as to be rendered useless for immediate service; but they did not spike their touch holes, nor break any of their trunnions. After the performance of this heroic feat, the first display of his Excellency's military career, Innis and his party, left the fort three or four hours, before day-light —just in time, to save themselves; and to allow quiet possession to be taken of the fort, by the troops which Colonel Moultrie had ordered on that particular duty.*

In pursuance of the orders which Colonel Moultrie had so received, he on the 14th of September ordered Captains Charles Cotesworth Pinckney's, Barnard Elliott's, and Francis Marion's companies of Provincial troops,† to be immediately completed to fifty men each, and to hold themselves in readiness to march in three hours: he also appointed Col. Motte as their commanding officer.‡ And about 11 o'clock that night, the detachment marched from the barracks in Charles-

* Captain Barnard Elliott's Orderly-Book, for Sept. 1775.

† The regiments which had been lately raised were so called.

‡ Appendix, No. II.

town in great silence to Gadsden's wharf; where they embarked on board the Carolina and Georgia Packet; and after the vessel had got under way, the officers were called below, into the cabin. Col. Motte then informed them, his orders were to take Fort Johnson; and although there were but few men stationed within the fort, yet, he was informed, a reinforcement had been thrown into it from the Tamer ship of war. That in consequence of this, it was necessary to take every suitable precaution; and to direct such approaches, as might promise success to the enterprize. For this purpose, Lieutenant Mouat with a detachment from Captain Pinckney's grenadiers, joined by the cadets, were to be the forlorn hope, who were to scale the walls of the fort, on its south bastion; Col. Motte with Captain Pinckney's grenadiers, and Captain Marion's light infantry, were to enter or force the gates over the ravelin; while Captain Elliott with his grenadiers, should enter into the lower battery, over the left flank. In an hour after the vessel had set sail, she had crossed Ashley River, and was at anchor about a quarter of a mile from the James Island shore; not far, from Captain Stones' landing. At this distance much time was lost in disembarking the troops; the vessel being only provided with two small boats, capable of transporting fifteen men at a time. In addition to which, near the shore was a long muddy flat, over which the boats were partly dragged; after which, the landing was effected by the men wading through the water, nearly up to their middles. This detention, was attributed to the fear of the master of the vessel, who dreaded the consequence of being carried down by the ebb tide, under the cannon of Fort Johnson. At length, the day of the 15th September began to dawn, when only Captains Pickney's and Elliott's grenadiers had effected their landing; however, Col. Motte, thought it best to lose no farther time, but to

move on forthwith upon the fort. Lieutenant Mouat, therefore, with his forlorn hope, pressed on to scale the south-west bastion; while Col. Motte moved forwards to the attack. When the troops came within half a mile of the fort, they separated for the purpose of investing the fort on three sides at once; the other side being washed by the sea. Lieutenant Mouat in advance, soon came up to the glacis, when he found the gates open; and rushing in with his small band, he possessed himself of the fort, and made prisoners of all he found therein. Col. Motte with Captain Pinckney and his grenadiers, soon after entered by the gate; and Captain Elliott with his grenadiers, scaled the walls of the barbette battery, and took possession of it. They found all the cannon dismounted; and upon inquiring of the gunner of the fort then a prisoner, when and by whose orders, the dismantling had taken place; he replied, "that the man of war's men under the direction of the Governor's Secretary, Captain Innis, had left the fort two hours ago—that they had entered his room—made him a prisoner—and he supposed they had done it." It hence appeared, the detention in landing, had been a fortunate interference of Providence to prevent bloodshed. For, had they landed in the night as was intended, the fort would probably have been stormed, while Innis and his seamen were busied in their ruinous work: and the press of troops would have been so great into the fort, and the surprize so unlooked for, as scarcely to have ended in any thing else, than the loss of some lives—and in the actual commencement of hostilities in this part of America. Of the garrison of the fort, only the gunner, and three men were taken prisoners; and Lieutenant Shubrick was dispatched to the Council of Safety, with Colonel Motte's account of the expedition; requesting, that a Gin and other necessaries for

remounting the cannon, might be sent down to him without delay.*

The trick which had been successfully played upon Lord William Campbell by Captain M'Donald, and the news of the seizure of Fort Johnson, convinced his Excellency, that his influence and power was all gone; and, that even his person was in jeopardy. Under these influences, he put forth the following proclamation:

“SOUTH-CAROLINA.

“*By His Excellency the Right Honorable Lord William Campbell, Captain General, Governor, and Commander in Chief, in, and over the said Province.*

“A PROCLAMATION.

“WHEREAS I think it expedient for his Majesty’s service, that the present General Assembly of this Province should be dissolved:

“I do therefore, issue this my Proclamation, dissolving the said General Assembly; and, it is hereby dissolved accordingly.

“Given under my hand, and the Great Seal of his Majesty’s said Province, at Charlestown, this fifteenth day of September, A. D. 1775; and, in the fifteenth year of his Majesty’s Reign.

“WILLIAM CAMPBELL.

“By his Excellency’s command.

“WILLIAM NISBETT, Dep. Sec.

“GOD SAVE THE KING.”†

* Captain Barnard Elliott’s Orderly-Book, for September 1775.

† See Journals of the Commons-House of Assembly from the 2d Aug. 1774, to 15th Sept. 1775, inclusive, the last page 105.

So soon as his Excellency had taken this step, he followed it up with another; and taking the Great Seal of the Province with him, he in the afternoon of the 15th day of September, privately withdrew from Charlestown on board of the Tamer sloop of war, then riding in Rebellion Road: and so far, much assimilated his conduct with that of King James II., when he left London; carrying away with him, the Great Seal of England.*

As for the Commons-House of Assembly, from the 18th day of August, when they sent their last message to Governor Campbell, they had adjourned from day to day, (Sundays not included,) until Wednesday the 30th day of August, without doing any business whatsoever. After that day, the only entry in their Journal states—“*Mr. Speaker having discontinued adjourning the House from the above day, his Excellency the Governor was pleased to issue the following Proclamation, dissolving the General Assembly, (viz.)*” after which, the said Proclamation is entered in the 105th page of their Journals: which finally closes the actings and doings of the Commons-House of Assembly, of the Province of South-Carolina.

Such, are the events which took place during the summer of 1775, down to the 15th and 16th days of September: and such, is the picture which the last days of the Royal Government in South-Carolina, present to the contemplative mind. In reflecting on them, it will be perceived; that nothing but the Lieutenant-Governor’s forbearance, and his temperate conduct towards the Commons-House of Assembly, enabled the King’s Government in the Colony, to move

* This, he threw into the River Thames,—Hume’s Hist. of Eng. vol. 8. page 292. But it was afterwards found by a fisherman and brought to London.—Dalrymple’s Memoirs, vol. 2d. 214.

at all. Under general terms, which each party construed to suit their own purposes; the conciliating conduct of the Lieutenant-Governor, had a qualified influence: and so far, assisted in promoting the public service. And the Assembly during this time, received petitions from individuals respecting their private affairs, as also from Commissioners of various departments in the Colony; some of which were arranged, and in others proceedings were going on, or bills presented for affording relief. But, the misunderstanding which had taken place between the Commons-House of Assembly, and his Majesty's Council, was a stumbling block greatly impeding all legislative operations. And to this cause alone, we may refer, why so few acts were passed by the General Assembly, for several years to the first day of June 1775 inclusive; when Lieutenant-Governor Bull, in consequence of information he had given the House by message, that Lord William Campbell was expected to arrive within a fortnight or three weeks, adjourned the General Assembly to the 19th of June: only two acts having been passed during all that time—one of which was, “To revive and continue for the terms therein limited, several acts and clauses of acts of the General Assembly of this Colony;” and the other was “To prevent the counterfeiting the paper money of other Colonies;” both of which acts received Lieutenant-Governor Bull's assent in the Council Chamber, on the 4th day of March 1775: and of course, became laws of the Colony.

Among the acts revived by the first mentioned act, was the General-Duty-Act; by which, provision was made for paying the salaries of the Crown officers, and of the ministers of the established Church of England. But, all that the Assembly would do in this matter, was to make this revival only for one year; and for

even that, they were probably indebted to the official conciliating conduct of Lieutenant-Governor Bull. The Journals of the House, do not show that any other acts were passed, during this closing scene of his Administration. It was, however, his good fortune, to close it in courtesy with the Commons-House of Assembly, as his Majesty's Representative; and to retire with the good wishes of that body from troubles, which he could not compose—to the social comforts of his family, and friends.

No bills of any kind, whether public or private, were passed into laws by the General Assembly; during the few months of Lord William Campbell's administration, as Governor of South-Carolina. He unadvisedly began his career by addressing the Commons-House of Assembly in terms which they could not admit; and an answer was thereby provoked from them, which led to misunderstandings by no means tending, to conciliation. Attempts were nevertheless made by that House, to progress in the public business; and on the 12th day of July it was resolved "as soon as may be, to make provision for calling in, and sinking," the certificates, which had been issued by the Provincial Congress;* but, soon after, the House lost all hopes of doing any thing as a component part of the Royal Government; and they accordingly requested the Governor to allow them to adjourn.† This, he declined doing; while he urged them to proceed to "make a constitutional provision for the public debts."‡ The House were not inclined to comply with this requisition; as they by no means intended to continue the support of the Crown officers and the Clergy, which were particularly meant in the scope of

* See Journals of the Commons, &c. for July 1775, page 89.

† Ibid. page 94.

‡ Ibid. page 97.

his Excellency's message: neither were they of opinion, any good would result from their taking any farther steps, in a legislative capacity. They saw, that political events had brought measures to a point, where nothing more than appearances were existing, between them as a Legislative Body, and the Governor as the Executive. For, the Council of Safety had absorbed Executive Powers; and the Provincial Congress, had assumed the Legislative ones. Tired out, with useless meetings and adjournments; and with the political farce, which had been acted; they at length on Thursday the 31st day of August 1775, severed the thread of their own existence, by not meeting agreeably to the adjournment for that day: * and, his Excellency completed the act, by afterwards proclaiming their dissolution.†

* See Journals of the Commons, &c. for Aug. 1775, page 104.

† Ibid. for Sept. 1775, page 105.

A P P E N D I X

TO

CHAPTER X.

No. I.

IN COUNCIL OF SAFETY.

Charlestown, Sept. 13, 1775.

SIR,

YOU are to detach one hundred and fifty men, under such command as you shall deem most proper for the service, to embark this night at a proper time of the tide, to proceed with the utmost secrecy, and land at a convenient place on James' Island. Mr. Verree and Mr. Wm. Gibbs will be at Captain Stone's, or in the neighbourhood, attending the landing, in order to conduct the Commanding officer to Fort Johnson, which he is to enter and take possession of, with as much secrecy and silence as possible; taking especial care that none belonging to the fort escape, and that no intelligence be given, but by his orders. When the officer, who

shall be sent upon this service, is in possession of the fort, he is immediately to give notice to this Board, and wait for orders. Except only in case the man of war now lying in the Rebellion Road, should make an attempt to attack the fort, or proceed towards this town; when he is to do every thing in his power to prevent her progress. Captain Stone of James' Island, will order his company of militia to join the troops which you send; and the whole are to be detained till relieved by our order.

By order of the Council of Safety.

HENRY LAURENS, *President.*

*William Moultrie, Esq.
Colonel of the Second Regiment.**

No. II.

GENERAL ORDERS.

14th September 1775, 4 o'clock, p. m.

Ordered, that Captains Charles Cotesworth Pinckney's, Barnard Elliott's, and Francis Marion's companies be immediately completed to fifty men, each, from their respective corps, and hold themselves in readiness to march in three hours. Col. Motte is appointed for this command, and will receive his orders from the Commanding Officer.†

* Moultrie's Memoirs, vol. I. p. 86, 87

† Ibid. 88.

No. III.

Members of the Commons-House of Assembly, summoned to meet for the first time by Lieutenant-Governor Bull, February 23d, 1773: and dissolved by Governor Lord William Campbell, September 15th, 1775.

Honorable Rawlins Lowndes, Esq. member for the Parish of St. Bartholomew, Speaker.

For the Parish of St. Philip, Charlestown—Christopher Gadsden, Charles Pinckney, Roger Smith.

For St. Michael, Charlestown—Miles Brewton, John Edwards, David Deas.

For Christ Church—John Rutledge, Arnoldus Vanderhorst.

For St. John's, Berkley County—James Cordes, jun. John Huger, James Ravenell.

For St. Andrew—William Scott, Thomas Bee, William Cattell.

For St. George, Dorchester—David Olyphant, Benjamin Waring.

For St. James', Goose-Creek—John Parker, John Izard, Benjamin Smith.

For St. Thomas and St. Dennis—James Akin, Isaac Harleston, John Wigfall.

For St. Paul—Thomas Elliott, Benjamin Elliott, George Haig.

For St. Bartholomew—Rawlins Lowndes, James Parsons, William Skirving, Thomas Osborne.

For St. Helena—Thomas Heyward, jun. Jacob Motte, William Sanders.

For St. James', Santee—Paul Douxsaint, Thomas Horry.

For Prince George, Winyaw—Thomas Lynch,
Elias Horry.

For Prince Frederick—Benjamin Farrar, Theodore
Gaillard, jun.

For St. John, Colleton County—William Gibbes,
Charles Cotesworth Pinckney, Thomas Evance.

For St. Peter, Purrysburgh—Gideon Dupont, jun.

For Prince William—Isaac Motte, John Ward.

For St. Stephen—John Gaillard.

For St. Mark—Joseph Kershaw.

For St. Matthew—Tacitus Gaillard.

For St. David—George Gabriel Powell.

Clerk of the House—Thomas Skottowe.

Clerk Assistant—Thomas Farr, jun.

Messengers—Edward Weyman, John Calvert.

CHAPTER XI.

The Council of Safety send down to Fort Johnson a detachment of artillery, to remount the cannon—The men of war, make a demonstration against the fort—Governor Campbell demands by what authority the fort has been taken, and is holden in possession—Col. Moultrie is ordered to reinforce the fort—A flag is devised, and hoisted at the fort—Orders are issued to prevent persons going on board of the ships of war, without permission—As also, that the ships of war, be only supplied daily, with fresh provisions—Upon which, Captain Thornbrough of the Tamer commences a correspondence with the public authorities—The General Committee recommend to the Council, the propriety of taking possession of Sullivan's Island; which the Council determine to do—A plan for obstructing Charlestown bar—Proposition to take a position at Haddrell's Point, for the purpose of passing from thence to Sullivan's Island—Creates an alarm, among some of the citizens; and a petition against the same, is presented to the Council—which induces the plan of taking post on Sullivan's Island, to be laid aside—Governor Campbell is invited to return to Charlestown—He refuses—The merchants recommended to remove their merchandizes from Charlestown—A Committee appointed to prepare a plan of entrenchments on Charlestown Neck—Another appointed to prepare a plan of defence for the whole Colony—This last Committee reports a plan; which occasions warm debates in the Council of

Safety—A Committee authorized to erect a redoubt on James' Island—Commissioners appointed to erect entrenchments on the Neck—This last plan of entrenchments given up—The battery on James' Island completed—and, it is determined to fortify Charlestown—The Provincial Congress meets—William Henry Drayton is chosen President, and Peter Timothy Secretary—Thanks are returned to Colonel Laurens, the late President—Col. Laurens delivers up papers to Mr. Drayton—Captain Robert Cunningham is sent as a prisoner from the back country; and is committed to gaol—The members of the Council of Safety are resolved into a Committee to adjust public accounts—The Commissioners of the Treasury required to report—Members of the Provincial Congress, allowed a daily pay—John Allen Walter, complains of a Negro belonging to him, being detained and employed, on board the man of war—Correspondence thereon—The Council of Safety, sends powder and lead to the Cherokee Indians—which is seized by Patrick Cunningham at the head of a party of Insurgents—Major Williamson takes the field against them, and calls out the militia—The Provincial Congress orders Colonel Richardson to call out troops against the Insurgents—They prepare instructions for Col. Richardson—The President of the Congress writes to Captain Pearis to inform the Indians, why they have not received the powder which had been promised them—Writes also a letter of thanks to Major Williamson—The Congress votes ammunition and money, for the expedition against the Insurgents—The Council are on the point of abandoning Fort Johnson—The Provincial Congress, orders the commanding officer of Fort Johnson to oppose the passage of any British naval armament—The schooner Defence convoys four hulks to be sunk in Hog-Island channel—which is opposed, by the men of war—

Commencement of hostilities—Thunks of the Congress returned to the officers and men, engaged in the affair—A Committee appointed to consider of arming the ship Prosper—Batteries ordered to be erected at Gadsden's wharf, and other parts of Charlestown—and that the Bastions be repaired—The ship Prosper is impressed into the Colony service—Col. Moultrie ordered to detach troops to protect her—A Special Committee originated, for the public safety—The ardour of the Provincial Congress somewhat cools—Warm debates in the Congress—A regiment of artillery voted—Small majority in the Congress, in favour of vigorous measures—Clement Lempriere appointed Captain of the Prosper ship of war—He declines the appointment—Officers elected to the regiment of artillery—The public Treasurers are directed to report the state of the Treasury—A new Council of Safety elected—A Committee appointed to consider and report, the powers and authorities, proper to be vested in the Council of Safety—The Provincial Congress, issues a Declaration, against the Insurgents—The militia ordered to muster once a fortnight—Powder and cannon, sent to Georgetown, and Beaufort—Provincial regular troops, to take precedence of the militia—One third of the militia ordered to be drafted for service—The command of the ship Prosper is conferred on William Henry Drayton; who accepts the same, and enters upon his duties—The Congress declares the Colony in a state of alarm—Powers of the new Council of Safety determined—and the Executive business placed in their hands—Draughts of militia ordered to Dorchester—Lookouts and signals appointed on the coast—The Congress passes resolutions, respecting exportation—and the President of the Congress, is directed to write to Georgia, concerning the same—Thanks voted to several persons—The Provincial Congress adjourns.

IN consequence of the dispatches which Col. Motte sent to the Council of Safety by Lieutenant Shubrick, from Fort Johnson; a detachment of the Charlestown Artillery company, under the command of Lieutenant Heyward, went down to that fort on the 16th day of September 1775, with a Gin and tackles, for remounting the cannon. Only three cannon, were remounted that day; as the detachment were not able to proceed to that business, until a late hour; and they were under orders to return that night to Charlestown. The rest of the cannon, were remounted by Captain Barnard Elliott with his grenadiers; in which service he was greatly assisted by Captain Cochran; who constantly attended, until the whole of them were remounted.

About the time the fort was seized, his Majesty's sloop of war the Cherokee had arrived in Rebellion Road; and during the night after the three guns had been remounted, the men of war with the Swallow Packet sailed up; and about the dawn of day of the 17th of September, they presented themselves within point blank shot of the fort. From these movements, an engagement was expected; and Col. Motte made what preparations he was able, to fight the three cannon: placing, however, his great dependance upon opposing any landing of men, from the British vessels. But the men of war, only made a weak demonstration of it; and returned very peaceably to their old anchorage ground, at random shot from the fort.

So soon as Governor Campbell had reached the Tamer sloop of war on the evening of the 15th, he dispatched Mr. Innis, his Secretary, to Fort Johnson; but he was not allowed to enter the same; and Capt. Charles Cotesworth Pinckney was sent by Col. Motte

to receive at the water side any communications, which the Secretary had to make. Upon this, he delivered the message he had for Col. Motte to Capt. Pinckney; which was, “The Governor desired to know, by what authority he took possession of the fort; and, by what authority he held it?” And he desired Capt. Pinckney to be very exact in delivering this communication to Col. Motte, “as much depended upon it.” To this, Col. Motte answered, “that he had taken possession of the fort, and held it, by the express command of the Council of Safety;” upon which, Innis made his bow; and the man of war’s boat, carried him back to the Tamer. It was after this demand, that his Excellency sailed up the next morning with his little squadron; in his then naval capacity of Commander in Chief.

When the Council of Safety found the fort was under their control, they immediately ordered Colonel Moultrie to reinforce Colonel Motte with more troops. In consequence of which, Major Roberts was sent down on the 16th September with two hundred and fifty men;* consisting of the companies of Captains Benjamin Cattell, Adam M’Donald, and John Barnwell, of the first regiment; and Captains Peter Horry and Francis Huger, of the second regiment; with camp equipage. And they accordingly were stationed to the left of the fort, and within the tabby work, fronting the river; and quarter and rear guards were posted, according to military usage. It was now, that the troops began to look and act, like soldiers; and a stricter discipline was established among them, than had been maintained at the barracks in Charlestown. A suitable flag was also made for the fort, by the direction of the Council of Safety; be-

* See Appendix to this Chapter, No. I.

ing of a blue colour, with a crescent in the dexter corner.*

Affairs having now assumed this decisive aspect, the Council of Safety on the 17th day of September issued orders to the Commanding Officer of Fort Johnson, “to prevent people from going on board the ships of war in the Road, or any where below the fort; without a permission from the Council, or their giving a good account of their intended business.” And the next day, they issued orders for placing Fort Johnson in “the best posture of defence.” On the day also, that possession was taken of Fort Johnson, the Council of Safety issued orders to the Agent Victualler, not to supply the King’s ships with provisions until farther order—and the day following, he was ordered to supply only for daily consumption. Upon this, Captain Edward Thornbrough, of the sloop of war Tamer, wrote a letter on the 18th September to the Chairman of the General Committee, stating, “That if his Majesty’s Agent in Charlestown,† was not permitted regularly, and without molestation to supply the King’s ships Tamer and Cherokee, with such provisions as he thought proper to demand; he would not from that day, so far as it was in his power, suffer any vessels to enter the harbour of Charlestown, or, to depart from it.” On the 19th it was answered by Henry Laurens as Chairman of the General Committee; and on the

* Colonel Moultrie had this flag made—the crescent was introduced into it, on account of the first and second regiments’ detachments then at the fort; who wore a silver crescent on the front of their caps—and their uniform was blue.

When Fort Johnson was taken possession of, during the time of the Stamp-Act, as has been related in Chapter II.; a blue flag with three crescents was displayed, by the volunteers who served on that occasion. It is curious to observe this coincidence, between the one seizure and the other: as if the crescent indicated increasing good fortune, to the American cause.

† Fenwicke Bull.

same day, Captain Thornbrough in a letter to Mr. Laurens replied, “that I would not offer such an affront to your judgment, as to give reasons for my *conduct*, which I think must be obvious to you; and you may be assured, that whilst I have the honour of commanding one of his Majesty’s ships, I am determined to have the assistance of a Pilot, and every necessary supply, *by force*, if I cannot obtain them in an *amicable* way.”*

On the 18th day of September, the General Committee recommended to the Council of Safety, to take possession of Sullivan’s Island, at the mouth of the harbour: and on the 20th it was determined in Council to do so—and to fortify it. It appeared soon after, that the Council was not serious in this determination; or rather the fervour which had excited them on the 20th, had somewhat cooled. For, on the 24th of September, in consequence of a survey and report which had been made, that the ship Prosper was able to bear twelve pounders on her deck; a motion was made, to fit her out accordingly as a vessel of war, for taking, destroying, or driving away, the King’s ships then in the harbour: which motion, was rejected. This being known, the General Committee left no measure untried, to urge the Council to more vigorous proceedings.

The principal pilots Bryan Foskey, and Alexander Elsinore, and Captains Blake and Tucker, were now called upon by the General Committee, to make a report which they had been directed to prepare, respecting the Ship Channel of Charlestown Bar, and Lawford’s Channel. And they accordingly reported, that the first was 2700 feet wide; having on the south

* See Appendix, No. II.

side 13 feet, and on the north side 12 feet, water, at low water: and that the last was a mile wide, carrying 12 feet water from side to side, at an hour's flood. They farther reported, that eleven schooners would be sufficient to entangle the passage of the first; and that the other would require twenty. Whereupon, it was resolved to proceed in making such entanglements; yeas 32, nays 14: and a Committee was appointed for that purpose.

The Committee, however, on more maturely considering the duty they had to perform, found there were other parties, who would probably not be idle on the occasion; and whose interests it would be to disentangle the bar in the same degree, in which they should entangle it. These were the British men of war, then at anchor in the harbour. They of course as a preliminary step, to the commencement of that service, recommended on the 27th of September, that the men of war, should be "*first, secured, destroyed, or removed;*" a matter much easier to be proposed, than effected! This, brought the business somewhat to a point: and upon the question being put in the General Committee to agree to the recommendation, it was lost, 23 to 17. The matter, however, was not lost sight of; and the subject being recommitted the next day, the Committee introduced a report, urging the measure: and, upon a question taken to agree to the same, it was carried, 29 to 21—and the Committee were directed, to apply to the Council of Safety, for the means of carrying such measure into execution. When this resolve of the General Committee was laid before the Council of Safety, a division of opinion took place; whether to comply with the recommendation it contained, or not: and it, therefore, became necessary, that Henry Laurens, the President of the Council, should give the casting vote. For enabling

him prudently to do so, he desired time for consideration. And the next day, after condemning the measure of obstructing the bar, and the expediency of the apparent steps thereto; he voted in favour of the measure: in the hope, that the public impulse should not be checked and cooled—while a better measure might be devised.

The Commissioners rightly thought, that they never could obstruct the bar, until they had caused the King's ships to quit the harbour. They therefore proposed to take post on Haddrell's Point; and from thence, on Sullivan's Island; for the purpose, of compelling the King's ships to depart. This project, created a great alarm, among the moderate men, (as they were called) in Charlestown: and already they saw as it were, the town in flames, from the fire of the men of war. On this occasion, Mr. ——, one of the Council of Safety, assisted in the draught of a petition against the proposed operations; and, it was industriously carried about the town, to be signed. While this petition was going the rounds for signatures, Colonel Powell, one of the Commissioners, applied to the Council on the 4th of October, for a detachment of troops to commence the operations: they were granted—and he retired. But, immediately after, Mr. M—— entered the Council Chamber, and presented to the Council the petition, which had been signed by three hundred and sixty-eight inhabitants of Charlestown; against the measures of fortifying Charlestown, and obstructing the bar: both which, the petitioners apprehended, were “altogether impracticable. And if persisted in, would bring on the inevitable destruction, of this now flourishing town.” Because, they conceived, “no attempt would be taken to molest the same, unless hostilities were begun by firing on the British navy.” They apprehended that “a land

defence was their only security;" as, by "*lines and breastworks,*" across Charlestown Neck; and, they humbly requested that a stop might be put to the measures in hand, until "the sense of all the inhabitants of Charlestown should be fully known." This, was just what, the then majority of the Council of Safety desired. Colonel Powell hearing of this petition being presented, and fearing some obstruction might intervene, immediately returned to the Council Chamber, from whence he had not been absent a quarter of an hour; and made application for some gun-powder, for the service in which he was engaged; and for which, he had just before, obtained an order for a detachment of troops. But upon the question being put, his application was refused, by 5 to 4. After this, the Council laid the petition before the General Committee; where, after a long debate, it was complied with, by 22 against 11: and thus ended the idea, of taking post upon Sullivan's Island, for that time.

Mean while, the General Committee on the 29th day of September, had sent a Deputation from their body with an address to Governor Campbell, inviting his return to Charlestown; in which they assured him "that whilst agreeable to your repeated and solemn declarations, your Excellency shall take no active part against the good people of this Colony, in the present arduous struggle for the preservation of their civil liberties; we will, to the utmost of our power, secure to your Excellency that safety and respect, for your person and character, which the inhabitants of Carolina have ever wished to show to the Representative of their Sovereign." To this his lordship replied, "I never will return to Charlestown till I can support the King's authority, and protect his faithful and loyal subjects. Whenever the people of this Province will

put it in my power to render them essential service; I will, with pleasure embrace the opportunity, and think it a very happy one.”*

But nothing discouraged the vigorous members of the Council. They so prevailed, that on the 5th of October, it was recommended to the merchants, to remove their merchandizes from Charlestown to places of security in the country; and the minority (—, —, —, —,) agreeing to prepare a plan of entrenchments for the Neck, between Ashley and Cooper Rivers; they also agreed that William Henry Drayton, Thomas Ferguson, Col. Charles Pinckney, and Arthur Middleton, should prepare a plan of defence for the whole Colony.

This, was a matter of no easy nature to gentlemen, whose educations had not been in the military way. However, a zeal for the public service, excited them to action; and availing themselves of the best opportunities of information, they finally digested and prepared a plan: and on the 13th day of October Mr. Drayton delivered the same, in a report of a general defence—which had been made, rather to show what ought to be done, than from any expectation of its being adopted. On the next day, the Council of Safety took it into consideration; and a long and warm debate ensued upon a subject, which for many days past had been always on the carpet; in the course of which entrenchments on the Neck were again discussed. At length, Mr. —, happening to let fall, that he could not approve of putting the town and harbour in an offensive posture, the King’s ships being irresistible; but if the gentlemen would be content to make such defences, as might give the town time to

* See Appendix to this Chapter, No. III.

treat of a capitulation upon an attack, and permit its inhabitants to retire to the lines, he would join them: Mr. Drayton who well knew nothing of importance could be expected by direct means, immediately interrupted Mr. _____ and told him, *they were content.* For, Mr. Drayton imagined in making such defences, the Council would insensibly be led from one thing to another, far beyond what they originally intended. It was upon this policy, the leaders of the opposition to British measures acted; as well in consultation, as among the people. And by this policy, the vigorous members of the Council now flattered themselves, they might gain the object of their wishes.

This compromise being made, the debate of course ended; and the next day Mr. Drayton, Mr. Heyward, and Colonel Motte, were authorized to build a strong redoubt westward of Fort Johnson, and to support it; as had been projected in the plan of general defence, lately presented to the Council: and Commissioners were appointed to erect entrenchments on the Neck, consisting of Mr. Lowndes, Col. Powell, Mr. Cannon, and Col. Moultrie. These last Commissioners had some meetings, and recommended a plan of entrenchments, (not with Col. Moultrie's good will*) a little above Bell-Mont, about five miles from Charlestown: but little was done, as to carrying it into execution; as every day, it became less important and unnecessary. And on the 7th December, the whole plan of entrenchments across the neck, was ordered to be discontinued—the work having in a manner, some time before that, been abandoned.

On the other hand, the Commissioners for the western battery on James' Island, proceeded with spirit;

* Moultrie's Memoirs, vol. I. p. 95, 96.

and the event fell out, as had been imagined. Energy, took place of languor; one fortification followed another, in happy succession: the idea of any safety's arising from a line of entrenchments across the neck, was reprobated and scouted; and a determination arose in the public mind, to fortify Charlestown and its approaches, against hostile aggression.

The dissatisfaction of the Volunteer Companies, and the general situation of affairs, had induced the General Committee on the 30th September 1775, to summon the Provincial Congress on Wednesday the first day of November; on which day, the Congress met at the State-House in Charlestown: when, they chose William Henry Drayton their President, and Peter Timothy their Secretary. Their first attention was directed towards Col. Henry Laurens, President of the late Provincial Congress; and on motion, the thanks of the Congress were returned to him by their President, Mr. Drayton, "for his unwearied diligence, application, and merit, in the discharge of the duties of that office:" at which time, Colonel Laurens delivered into the hands of Mr. Drayton his successor, all the Association papers which had been signed, and deposited in his hands.

On the same day, the Provincial Congress was informed, that Captain Robert Cunningham had been taken into custody in Ninety-Six District; and was brought to Charlestown, by Captain Benjamin Tutt. This arrest had taken place, in pursuance of orders from Major Andrew Williamson, grounded on an affidavit made by Captain John Caldwell of the Rangers, before Richard Rapley, Esq. at Ninety-Six, on the 23d day of October; charging him, with seditious words. And, upon Captain Cunningham's being brought before the Congress—the affidavit being

read to him—and he thereupon questioned by the President, replied, “That he could not deny, that he had made use of expressions somewhat like those mentioned in Captain Caldwell’s affidavit, which had just been read to him. That he believed Captain Caldwell had not perjured himself—and that, though he did not consider himself as bound by the late treaty at Ninety-Six: yet, he since had constantly behaved himself as peaceably as any man—and although he had opinions, he had not expressed them but when asked.” After this, in pursuance of an order of the Congress for that purpose, he was committed to the gaol of Charlestown, by a warrant under the hand and seal of the President; and Thomas Grimball, the sheriff, was directed, “to afford the said Robert Cunningham every reasonable and necessary accommodation, at the public charge; but that he do not suffer the said Cunningham to converse or correspond with any person whatsoever; or, to have the use of pen, ink, or paper, unless by express leave from the Congress, or authority derived from them.” The arrest of Captain Cunningham, did not pass over lightly, in the back country; and that, with an accidental occurrence connected somewhat with it, occasioned another insurrection in Ninety-Six District, and caused a large expenditure of money, from the public treasury.

The members of the late Council of Safety, were now resolved into a Committee, to adjust and settle all outstanding accounts against the public, and to report thereon. And Col. Charles Pinckney, Col. Laurens, Col. Richardson, Mr. Arthur Middleton, Mr. Ferguson, Col. Bull, Captain Charles Cotesworth Pinckney, Mr. Harrington, Mr. Kershaw, and Mr. Cannon were made a Committee to report upon the state of the Colony; and the proper measures which ought to be pursued, for putting the same into the best

posture of defence. The Commissioners of the Treasury were also required to report the state of the colonial treasury: and a vote was passed, allowing each member of the Provincial Congress, while attending, forty shillings currency each day. And on the 2d of November, Colonel Laurens delivered up to William Henry Drayton, his successor in the chair, all the letters, papers, &c. which had come into his hands, as President of the late Provincial Congress, President of the Council of Safety, and Chairman of the General Committee.

Upon the application of John Allen Walter, the Council of Safety had written a letter on the 28th of October to Captain Thornbrough of his Majesty's ship Tamer, then lying in Rebellion Road, stating, they had received information, that a Negro belonging to Mr. Walter, was employed on board the ship under his command. That the Negro was a runaway,—and that it was felony to carry such a slave out of the Colony. That they would not be understood as insinuating, that he gave encouragement for slaves to leave their masters; for they reasonably concluded, that the Negro if on board, had imposed himself on him as a freeman. They therefore doubted not, if their information were true, but that he would cause the Negro to be delivered to the messenger, who had been sent with the letter. Captain Thornbrough on the 1st November answered this letter, which was laid before the Provincial Congress on the next day; when they desired the President to prepare a reply, which was done: and the day following, the reply was dispatched to Captain Thornbrough.* On the 4th of November, Captain Thornbrough rejoined, enclosing an extract of a letter of Lord William Campbell's.

* See Appendix, No. IV.

On the subject of this extract, the President of Congress was desired to cause Captain Wanton's affidavit to be taken; he was also charged with preparing a resolution on the correspondence with Captain Thornbrough, to be entered into by the House.* And on Monday morning, November 6th, such papers were laid before the Congress, when they agreed to the following resolution.

“Resolved, That Captain Thornbrough’s letter of the 4th instant, directed ‘to William Henry Drayton, Esq.’ in answer to a letter of the 3d instant, wrote by him as President, contains expressions as *unmerited*, as unbecoming the pen of a gentleman; and therefore unexpected from Captain Thornbrough. That, because Lord William Campbell has favored Captain Thornbrough ‘with an extract of his letter to Governor Tonyn,’ it does not thence follow, that the extract was faithfully made; and this Congress not having seen the original letter, or any other extract from it, ought to remember, we have just cause not to credit any thing from Lord William Campbell, which is not supported by absolute proof: neither does the extract prove, that Lord William Campbell did not write another letter, to Governor Tonyn, to desire that troops should be sent against the good people of this Colony; and, that Captain Wanton’s sloop should be condemned at St. Augustine. On the contrary, in the affidavit this day made by the said Captain Wanton, and laid before this Congress, there is reason to conclude, that Lord William Campbell did actually write to Governor Tonyn, as well to procure troops, as to cause Captain Wanton’s sloop to be condemned: and, as this important letter has never appeared to the public, it is not improbable, either that Governor Tonyn

* See Appendix, No. IV.

has received it, or that Walker has destroyed it; and that the Extract in question, even if it is a faithful one, is from a letter only as a mask to the other; and with intention if necessary, to be delivered up to the public:" and by order of the Congress, Captain Wanton's affidavit, and the resolution thereupon, were printed and made public, with all the other papers, on the same subject.

When Mr. Drayton gave the Talk before mentioned, to the Cherokee Chiefs at the Congarees, he promised them such a supply of powder and lead, as the situation of the Colony's funds in that article would permit: and, on the 4th of October 1775, a vote passed in the Council of Safety, to supply the Cherokee Nation with one thousand pounds weight of powder, and two thousand pounds weight of lead. Accordingly, a waggon was dispatched with the same, as a present to the Cherokees, under an escort of a subaltern officer of the Rangers, and twenty privates. It unluckily happened, that about this time Robert Cunningham's arrest was known abroad; and his brother Patrick Cunningham, assembled about sixty persons in arms, and pursued those who had seized his brother, hoping to rescue him. They failed, however, in doing so; and turning their attention to the powder which was on its progress to the Indians, they determined to possess themselves of it; and thereby frustrate the intentions of the Council of Safety. Accordingly, on the 3d of November, they met the convoy and ammunition near Mine-Creek, between the Ridge and Ninety-Six Court-House; and causing the guard to surrender, the ammunition was immediately seized and carried off.

When this news reached Major Andrew Williamson at Hard-Labour-Creek, in Ninety-Six District where

he resided; he immediately began to embody his militia, for the purpose of recovering the powder and lead, and of apprehending the Insurgents. And from his camp near Long-Cane, he dispatched a letter on the 6th November, to Edward Wilkinson and Alexander Cameron then in the Cherokee Nation, informing them of the seizure; and requesting the matter should be properly explained to the Indians, so, as to prevent any of their inconsiderate men from revenging themselves upon the people of the frontier: and he told them, he had no doubt, but the Council of Safety would order more ammunition to be sent them, as amends for what had been so lost. On the other hand, the Insurgents raised their friends, in their own defence. And, as they made a merit of seizing the ammunition for the use and defence of the settlers against the Indians; so, in like manner, depriving the Indians of the same, was, they said, giving additional security to the King's men as they called themselves, from being slain by the Indians. These were specious reasonings; and carried much influence with them, between Saluda and Broad Rivers: greatly assisting the collection of a considerable force in arms.

The news of this insurrection being laid before the Provincial Congress, they on the 7th of November ordered Colonel Richard Richardson forthwith to assemble six companies of rangers, Captain Ezekiel Polk's company of volunteers, draughts of militia from Richardson's, Thomson's, Savage's, Neel's, and Thomas' regiments, and with such troops pursue such instructions, as shall from time to time, by order of the Congress, or the Council of Safety for the time being, be signified to him by the President. The President of the Congress was also desired, to prepare proper Instructions for Colonel Richardson; and on 8th day of November, the pay of the militia privates so serv-

ing, was augmented to ten shillings currency per day. This measure, however, was not carried but after warm debate, 51 to 49; Rawlins Lowndes being teller for the yeas, and Arthur Middleton for the nays.

On this day also, the Instructions and Orders which Mr. Drayton, as President of the Congress, had prepared, were amended and agreed to, being in the words following:

“ BY ORDER OF CONGRESS.

“ *To Colonel Richard Richardson.*

“ SIR,

“ There being a necessity of assembling six companies of the regiment of rangers, Captain Polk’s company of volunteers, and draughts of militia, to act in the interior parts of this Colony; and you being the eldest field officer now ordered upon this service; of course, the command of the detachments upon this service vests in you. And hereby you are ordered, to draught from your regiment of militia, including militia volunteers, and to demand of Col. William Thomson, Col. John Savage, Col. Thomas Neel, and Col. John Thomas, or the commanding officer in each of those regiments, (including militia volunteers,) present, respectively; and they and each of them, are hereby ordered, to supply you with such numbers of men with their officers, to be draughted from those or any of those regiments, in order to act under your command, as you shall judge necessary.

“ On the 3d day of this instant November, Patrick Cunningham, Henry O’Neal, Hugh Brown, David Reese, Nathaniel Howard, Henry Green, and sundry other armed persons unknown, did, in Ninety-Six District, cause and raise a dangerous insurrection and

commotion, and did, near Mine-Creek in the said district, feloniously take a quantity of ammunition, the property of the public, and in contempt of the public authority. Therefore, you are hereby instructed and ordered, with the troops aforesaid, or any part of them, to march, and to act in such manner as you shall deem expedient, to seize, and to apprehend: and with those troops or any part of them, you are hereby ordered to endeavour to seize and to apprehend, the bodies of Patrick Cunningham, Henry O'Neal, Hugh Brown, David Reese, Nathaniel Howard, Henry Green, Jacob Bochman, alias Jacob Bowman, together with their aiders and abettors, in the taking or carrying away, or detaining, or secreting, or using and expending, the ammunition aforesaid, or any part of it. And having apprehended the bodies of the said offenders, or the body of any of them, such bodies or body you are ordered, with all convenient expedition to the service, to cause to be under a strong guard conveyed to Charlestown: at all times, using your best endeavours, to recover the ammunition feloniously and contemptuously taken, as I have already mentioned; and in general, you are to do all such things, as in your opinion shall be necessary, effectually to suppress the present insurrection; and to intimidate all persons from attempting any insurrection, in future.

“ You are not to allow any of the militia companies, or militia volunteers, to take the field on horseback; militia horses, being by experience found to be an incumbrance to the men, on a military expedition.

“ The militia engaged in this service, will be entitled to receive, the privates a daily pay of ten shillings currency, and rations equal to what is received by the regiments of regular infantry, in the public service. And while the rangers are encamped with the militia,

the rangers are entitled to receive daily rations; of all which, you are ordered to cause exact accounts to be kept, and also, regular muster lists of the militia.

“ In case of any disobedience in the militia, you are to cause every such disobedience to be punished agreeable to the militia law in time of alarm. You will from time to time, send information to the President, of your motions and proceedings. These instructions and orders, are to be publicly read to the troops; and you are to obey all such further instructions and orders, as shall, under the authority of Congress, or Council of Safety, for the time being, be signified to you by the President.

“ I have the honour to be,

“ Sir, your most humble servt.

“ WILLIAM HENRY DRAYTON,

“ *President.*”

That no prudent step should be omitted, which might avert a civil war, the President was farther directed, to make a demand of these insurgents, pursuant to the treaty of Ninety-Six. For, if these men were delivered up, before Richardson’s army should be formed; the commotion would cease—and, there would be no occasion for Richardson to take the field.

After this, Mr. Drayton, as President of the Congress, wrote a letter to Captain Richard Pearis, who had accompanied the Good Warrior and other Cherokee Chiefs to the talk at the Congarees; requesting him to inform the Indians, the powder which had been promised them was seized in its way by the insurgents; and that Colonel Richardson was ordered to march against them, for the recovery of the powder and lead; as also to apprehend the persons who had committed

the seizure. And that as soon as the powder or lead, or any part of it, should be retaken, it would be forwarded to them without delay. He also wrote a letter of thanks to Major Andrew Williamson, for causing Robert Cunningham to be apprehended, and sent to Charlestown; and for embodying the militia, and opposing the insurrection. In that letter, Major Williamson was advised of the instructions and orders, which had been given to Col. Richardson; and he was directed to regulate his conduct thereupon: and with the militia under his command to act against the insurgents with the utmost vigour—and, to attend to the security of Fort Charlotte. One thousand pounds weight of gun-powder, and lead in proportion, with two thousand flints, were also ordered for Col. Richardson's expedition—as also two cohorts, if he wished them. And four thousand pounds currency were likewise voted by the Congress, and were directed to be paid from the Treasury, to Colonel Richardson; to meet the expenses of the expedition, under his command.

While these things were transacting, the repairs of Fort Johnson had gone on so slow, owing in a great degree to the difficulty of getting materials—the indolence of some employed to procure them—and the averseness of the Council of Safety to measures, which seemed calculated to induce hostilities—that the Council were on the point of abandoning that fort, and bringing away the guns. Before, however, the Council would take so decided a step, they on the 10th of October, appointed Mr. Drayton, Mr. Middleton, and Mr. Heyward, to examine into the progress of the works there, and to make a report, “without loss of time.” Only the two first mentioned gentlemen, went down to Fort Johnson; and on their return they made a favorable report: but, even then, that

post was continued rather by sufferance, than with the approbation of the Council. However, to put an end to all such pacific ideas, and to bring as forward as possible, appearances of vigour and hostility—after a long and warm debate, the Congress on the 9th of November, issued orders to the commanding officer at Fort Johnson, “to oppose the passage of any British naval armament, that may attempt to pass” that post: and the President was desired to inform Captain Thornbrough, that such an order was issued.* In the public proceedings, this was a prominent step: for, it was the first military order, which had been issued, to fire upon the British men of war.

In the lengthy and interesting debate, which took place in the Provincial Congress, on this very important measure, the President at the close of the debate, generally bore a vigorous part. The moderate men, had voted him into the chair, with a view of silencing him; but, instead of weakening the vigour of the patriots it added to it: for the President’s harangue, with many members, had more weight, than the same words pronounced by him, as Mr. Drayton. The moderate men, were now sensible of this. It was in vain, that in an important subsequent debate, about attacking the men of war then in the harbour, Mr. Lowndes and Mr. Parsons, endeavoured to silence the President, as speaking contrary to the custom of the chair; on the contrary, he maintained his privilege for doing so, as being one of the rights of a representative: and the House, supported him accordingly.

On the 19th of October, William Henry Drayton and Thomas Heyward, jun. had been empowered by the Council of Safety, to obstruct the passages of the

* See Appendix, No. V.

Marsh Channel, and of Hog-Island Creek. They had sunk two schooners in the first, and were ready to sink four others in the Creek; the six schooners having been purchased for that purpose, for £4,500 currency. Preparatory, however, to sinking the four schooners, the colonial armed schooner Defence, commanded by Captain Simon Tufts, was ordered for that service; and Colonel Moultrie was directed by the Congress, to detach a Captain with thirty-five able privates on board the schooner Defence, to act as marines there, until farther orders.* On this occasion, this schooner was armed with two nine pounders, six six pounders, and two four pounders; and including marines under Captain Scott, her complement of men was about seventy. Things being now in readiness for sinking the four schooners in Hog-Island-Creek, the four hulks under the direction of Captain Blake, about 2 o'clock in the afternoon of the 11th of November 1775, dropped down Hog-Island-Creek with the ebb tide, covered by the schooner Defence; Mr. Drayton, one of the Commissioners who had been appointed by the Council of Safety, and then President of the Provincial Congress, being on board, to see the business done. He had also another view, in accompanying Captain Tufts on this occasion: for, as this service was to be performed in full view of the Tamer and Cherokee sloops of war; the first carrying sixteen six pounders, and the last six cannon; and, as hostilities by arms had not yet commenced here—he was hopeful something would occur, which he was determined to improve in such manner, as to draw on hostilities; that thereby the Provincial Congress and public councils, might make a bolder stand, and be excited to take a more decided part. For this, he conceived he was sufficiently justified, by a resolution

* See Appendix, No. VI

of the Provincial Congress of the 10th of November, which “Resolved, that Mr. President be authorized and empowered, to order such motions of the troops, as he shall think necessary, to enable Captain Blake to sink certain schooners in Hog-Island-Channel.” The affair, accordingly turned out, as Mr. Drayton wished: for so soon as the hulks which were in advance, approached their place of destination, the Tamer fired six shots at them; which fell short of their objects. Captain Thornbrough now thought he had done as much as his duty required, and intended to have desisted; as he lay out of gunshot of his six pounders. To provoke, and urge him therefore, to acts of hostility; so soon as the Defence came to an anchor, the President ordered her two nine pounders to be discharged, directly at the Tamer: which being heavier cannon, carried their shot much farther than the Tamer’s had done. The Tamer, became now roused at the insult; and fired three or four shots more, which the Defence answered only with one; during which time, and afterwards as the ebb tide was still running Captain Blake was actively employed in sinking three of the hulks. Before the fourth could be placed in her station, the flood tide made, which prevented its being done; it was then concluded to do so, with the ebb tide at daylight the next morning; and the Defence remained and covered the proceeding, and protected those who were engaged in it. Mean while, Captain Thornbrough with the Tamer and Cherokee under the auspices of Lord William Campbell then on board, warped into Hog-Island-Cove as close as they could; and about a quarter after four in the morning of the 12th November, they discharged their broadsides upon the Defence, continuing the cannonade until near 7 o’clock: during which time, they fired about one hundred and thirty shots. The alarm was beaten in Charlestown—the second regi-

ment of infantry at the barracks, stood to their arms—and the militia formed at their different alarm-posts; while many resorted to East-Bay, to witness the engagement—or, to indulge in the anxious cares, which were thereby excited.

Notwithstanding this heavy fire, Captain Blake carried the fourth hulk to her proper station; and having scuttled her in various places, she was left sinking. This operation, however, went on slowly, as she was loaded with sand: which gave the enemy an opportunity of availing themselves of the Defence's retreat, to send an armed boat which fired the hulk, and towed her into shallow water; where she shortly sunk. In this action, the Defence received no other damage, than one shot under the counter, one in the broadside, and a third which cut the forestarboard shroud; neither was any person hurt on board; as the shot ranged between and over the rigging, and passed on to the main land. During this naval affair, the officers and men on board, and men in the service, displayed great cheerfulness, and tranquillity: while the garrison at Fort Johnson warmed by what was going on, fired three 26 pound shots at the ships, at ten degrees elevation. One of these shots fell within a few yards of the Tamer's bowsprit, another of them was said to have passed through her sprit-sail—and the third to have gone through her mizen-sail; but such fire, was not thought to produce any good effect at such random distance; and it was therefore discontinued. Between 7 and 8 o'clock in the morning, the schooner Defence, ranged up, and anchored in the stream, opposite Beale's wharf; where Colonel Charles Pinckney and many of the citizens, saluted her with three hearty cheers: and in a few minutes after, Mr. Drayton landed on the wharf from the Defence; amidst the

congratulations of his fellow citizens: he having been on board of that vessel, during the whole affair.*

Hostilities, were now begun. The people, were animated. The members of the Provincial Congress, who had been spectators, were warmed: and they met a few hours after, in a fit temper, for planning vigorous measures. The day being Sunday, the Congress first assisted in Divine Service, which was performed before them, and at their request, by the Reverend Mr. Turquand one of their members; after which, Captain Tufts made his report, of the manner in which the service where he had been engaged was performed; and of the behaviour of the officers and men under his command. This being approved of, the Congress voted their thanks “to Captain Tufts, for his spirited and prudent conduct upon the occasion; and also to Captain William Scott, who acted as a volunteer in the command of the marines on board the schooner Defence;” they also ordered “that those gentlemen be requested to return the thanks of this Congress to all the officers and men, who acted under their respective commands.”

On the same morning, the Congress appointed Mr. Edwards, Captain Joiner, Captain Shubrick, Mr. Neufville, and Mr. Verree, a Committee to consider the expedience and expense of immediately fitting, arming, and manning, the ship Prosper in the service of the Colony; for the purpose of taking, or sinking, the men of war in Rebellion Road. And the Committee was ordered to sit immediately, and to report thereon without loss of time. And, a resolution was passed, “That a battery of six heavy pieces of cannon be immediately erected on or near Col. Gadsden’s land

* See Appendix, No. IX.

—that some proper cannon be mounted on the wharves, near the centre of the Bay—that Granville's bastion be put into a better posture of defence—that the platform in the north face of Lyttleton's bastion be extended—that a battery of three or four guns be erected near Cummins' Point—and another of two or three guns, in some proper spot at Wappoo, to prevent vessels lying in Ashley River.” In the afternoon of the same day, (Mr. Edwards having reported, respecting the ship Prosper) it was resolved, “That the ship Prosper be immediately impressed, and taken into the service of the Colony; and fitted and armed as a frigate of war, with the utmost expedition.” A committee was also appointed, for that purpose; and orders were issued to Col. Moultrie to post a detachment of fifty able men from the regiments under his command under proper officers, to guard and protect the said ship against any attempt that may be made to injure or remove her.* The President was then desired, to write to the Council of Safety of Georgia, stating the late hostilities, and soliciting their utmost immediate aid and assistance, by a supply of all the gun-powder, arms, and other military stores, that could be spared: and Mr. De Saussure and Mr. Robert William Powell, were appointed a Deputation from Congress, to proceed with the President's letter to Georgia. Doctor Olyphant, Mr. Gibbes, and Col. Moultrie, were then appointed Commissioners, for carrying into execution the resolution of the morning, respecting the erecting of additional batteries for the defence of Charlestown; and the day's sitting of Congress was closed, by a resolution, “That Mr. President, Col. Pinckney, and Mr. Thomas Heyward, jun. be authorized to order and do, whatever they shall think necessary for the

* See Appendix; No. VII.

public Safety, until the meeting of the Congress to-morrow."

Thus ended the 12th day of November, which followed the actual commencement of British hostilities in South-Carolina. It was begun with prayers to the Almighty Throne, from the representatives of the people; in which, they implored Almighty Providence to favour their undertakings—and, to support their cause. It was proceeded in, with a firm reliance upon his assistance—with ardent endeavours on their parts, to be prepared for the crisis, which had arrived, and for events which would naturally follow; and, it was closed, by placing into the hands of tried citizens, the dictatorial power; of *taking care, lest any damage should happen to the commonwealth.*

Such, however, is the state of human nature, and the frailties of mental energy, that not twenty-four hours elapsed, before attempts were made, to alter the votes of this auspicious day. For, on the 13th Nov. Mr. Drayton, as President of the Provincial Congress, laid before that body the draft of a letter he had written to the Council of Safety in Georgia, stating the late hostilities by the British arms; and, which was intended as a public communication. Also another, which was private, requesting a supply of gun-powder, and assigning the reasons for such application. In doing so, and with a hope to settle beyond any evasion the intention of attacking the men of war in the harbour, he engrrafted in this letter the following information: "We are with all possible expedition fitting out a ship, with which, aided by the schooner Defence we mean forthwith to attack the men of war." By this time, many members of the House had cooled on the subject; and Mr. L—— and Mr. P—— endeavouring to profit by that circumstance, made a

direct attempt to frustrate the measure. To this end, they contended, that no such resolution had been taken; and that the scheme was rash. The affair, went into a long and warm debate: and after having been reminded of various parts of the original debate on the subject, pointing out that the Committee had been expressly appointed to report, “the expediency and expense of fitting, arming, and manning the ship Prosper, in the immediate service of this Colony, *for the purpose of taking, or sinking the men of war, now in Rebellion Road:*” and, that upon the report of that Committee, the House had resolved she should be “armed as a frigate of war, with the utmost expedition”—the House did but barely support the letter, which had been so written. There was firmness enough, however, in a majority of the Congress, to breast the crisis which had now arrived; and, with heart and hand, they proceeded to measures, of still greater preparation.

On the same day, the two boats which had been taken into service, and sent to sea with orders to cruise near the bar and along the coast, to caution all vessels destined for Charlestown, to steer for some other port; were continued on that duty, until the farther order of Congress. The die, was now thrown; and a regiment of artillery was voted; to consist of three companies of one hundred men each: but the impression of danger from the men of war, was still strong: and the President, Col. Pinckney and Mr. Thomas Heyward, jun. were again invested with dictatorial powers, until the next morning.

On the 14th November, a motion that the Council of Safety for the time being, should issue orders to complete the establishment of the infantry and rangers, was lost: and another that orders be issued to

complete the original establishment of the army voted by the last Congress, in proportion as arms and clothing could be procured, was only carried by 49 to 48; Rawlins Lowndes being teller for the yeas, and Col. Charles Pinckney for the nays. So vibrating were the sentiments, and so small, the majority, in the Provincial Congress. They, however, went so far, as to appoint Clement Lempriere Captain and Commander of the ship Prosper, and Thomas Sherman, first Lieutenant; and that the officering, manning, and the wages of the officers and seamen, be at the same rates as of the schooner Defence: and, that the President do issue commissions for officering said ship. They then proceeded to ballot for officers of the artillery regiment; when Owen Roberts was elected Lieutenant-Colonel—Barnard Elliott, Major—and, Barnard Beekman, Charles Drayton, and Sims White, Captains: and their commissions were issued accordingly. The next day (Nov. 15th) they voted one hundred and twenty thousand pounds currency for the pay of the artillery, and incidental charges attending the same; and Henry Peronneau, and Benjamin Dart, joint public Treasurers, were directed forthwith to lay before them, “the present state of the Treasury.” A motion was then made, that the future meetings of the Provincial Congress be held at Camden, or some other more centrical place;” but, the previous question being demanded, it passed in the negative.* These proceedings, were still carried on under some dread of danger; as when the House adjourned this day, they increased their dictatorial Committee, by adding Colonels Laurens and Moultrie to it.

On the 16th November, the Provincial Congress elected a new Council of Safety, consisting of the fol-

* This is supposed to be the first attempt which was made, to move the Government into the interior of South-Carolina.

lowing gentlemen: Charles Pinckney, Henry Laurens, Henry Middleton, Thomas Ferguson, Arthur Middleton, Thomas Heyward, jun. William Henry Drayton, Rawlins Lowndes, Thomas Bee, Benjamin Elliott, James Parsons, David Olyphant, and Thomas Savage. On the 17th, Col. Laurens, Col. Pinckney, Major Charles Cotesworth Pinckney, Capt. Harrington, the Rev. Mr. Tennent, Mr. Thomas Heyward, jun. and Mr. Arthur Middleton, were appointed a Committee to consider of, and bring into one view, the powers and authorities proper to be vested in the Council of Safety. And on the 18th of November, the joint public Treasurers attended and delivered in, the following state of the paper currency in the public Treasury of South-Carolina:

Of lawful bills of credit, so torn and obliterated, as to become impassible, of various denominations, about	£50,000 0 0
Of tax-certificates and public orders out of date, and kept to be destroyed, agreeable to laws of the Province, about	19,000 0 0
Of certificates issued by the House of Assembly, about	19,200 0 0
Of certificates issued by the Congress,	1,320 0 0
<i>N. B.</i> Not a single piece of gold or silver in the Treasury,	0,000 0 0
There is owing, on bonds to the King, for Negro duties,	13,000 0 0
And on notes to the joint Treasurers, for other duties,	24,000 0 0

At this time, fresh intelligence arrived, of the increasing insurrection in the back country: and the President was “desired, to prepare the draught of a Declaration, calculated to remove the prejudices en-

tertained in some parts of the Colony, against the measure of the late Council of Safety, in sending a small quantity of ammunition to the Cherokee Indians;" and it was accordingly prepared, agreed to, and issued, the next day.* It was also carried, that every company of militia, should be assembled and mustered once a fortnight; and fines were imposed for the non-performance of duty. At this time also, Henry Laurens, Roger Smith, and Edward Blake, delivered in an appraisement and valuation of the ship Prosper, of two thousand pounds sterling: recommending that the same be tendered to Captain Smith, late master of the said ship, on behalf of his owners. And the President was directed to instruct Col. Richardson, to apply to Col. Thomas Polk, of North-Carolina, for the assistance of the six companies under his command, if he should judge such assistance necessary —they to be in the pay of this Colony.

The whole militia of Charlestown, had now recovered from their delusion; and on the 20th November they were embodied, and ordered upon duty, as well by day, as by night. Five hundred pounds weight of gun-powder, with six pieces of cannon, and a proportionate quantity of cannon ball, were allotted for the defence of Georgetown: and Col. Bull was directed to draft one hundred and fifty men of the Granville County regiment, to garrison Fort Lyttleton, near Beaufort. At this time also it was settled, that the regular forces should take precedence of the militia; but it was ordered, that they should not be drawn out to act in conjunction, "but on the most urgent occasions;" and that in all cases, the militia should be tried and adjudged, "according to the militia law only." And the Colonels of the militia throughout

* See Appendix, No. VIII.

the Colony, were ordered to draught one third of their respective regiments, including volunteer companies; and to hold themselves in readiness, to march at a minute's warning.

About this time, a few seamen who had enlisted in the infantry regiments, were ordered on board the ship Prosper by Col. Moultrie; for the purpose of rigging her, and fixing her cannon. She had not less than twenty cannon, put on board; consisting of eight twelve pounders, eight six pounders, some four pounders and swivels; and Captain Lempriere was required on the 21st day of November 1775, by a letter from the President of the Provincial Congress, to repair on board of her; “there, to discharge the duties of a commander;” he, however, by letter declined taking upon himself the command of the ship, to which he had been so appointed.* On this, the Congress, 23d of November, promoted Captain Simon Tufts, to the command of this ship: but it does not appear he ever assumed the command of her, in pursuance of such appointment. On the 27th day of November, forty provincial troops, were ordered to do duty on board of her by Col. Moultrie; and soon after, the command of the Prosper was conferred upon William Henry Drayton; as will be farther spoken of, in its proper place.

Unfavorable accounts of the insurrection yet increasing, and that there had been an action at Ninety-Six; the Congress on the 25th of November declared the Colony “to be in a state of alarm as fully, as if the same had been proclaimed in the man-

* Captain Lempriere had served in the British navy, and was a deserving officer; and this appointment was given him as a reward for his good conduct in taking the powder off Augustine Bar. What were his reasons for declining, are not ascertained; as we are not in possession of his letter.

ner directed by the militia law." And Colonels Powell and Rothmahler were ordered to detach six hundred men from each of their regiments, to rendezvous at the Congarees, under the orders of Col. Richardson: Col. Bull was also ordered to detach one hundred and fifty men on the same service, to the Cherokee ponds. Lieut. Col. Roberts was also directed to detach Lieutenant James Mitchell of the artillery for the same purpose, with two field pieces and suitable appointments: and Col. Richardson was instructed not to venture a general engagement with the insurgents; unless, his force should put him in a condition to crush them; and he had such advantages, as promised success.

We have now related, in as brief a manner as circumstances permitted, the various measures which took place, since the commencement of hostilities on the 11th November. The events of that day, fortunately roused the public mind to action; and successive events, kept the *ardor patriæ* alive; from whence resulted, the energetic measures which have been related. The times, now called for action—men, came forward in their country's defence—patriotism, was honoured—coolness, timidity, and interested backwardness, were scouted. And, having taken this attitude, the Congress turned their deliberations to organizing civil establishments; the most prominent of which was, that of the new Council of Safety.

The undefined powers, which the late Council of Safety had exercised, were now brought more under command; by regulations, which the Provincial Congress thought proper to impose. For, as parties had often been so balanced both in the Congress and in the late Council of Safety, as to embarrass public measures; the Congress did not wish, the steps they

had so happily taken, should after their adjournment be counteracted. In addition to this, experience began to show them the propriety of commencing some reform, in the governmental powers; which had arisen since the flight of Lord William Campbell, and the dissolution of the Commons-House of Assembly. Under these impressions, the report of the Committee on the powers and authorities proper to be vested in, and exercised by, the Council of Safety, was, on the 26th Nov. taken into consideration; when the Congress resolved and ordained,

First. That the Council of Safety, or a quorum consisting of seven members, or a majority of such quorum, shall have, and they are hereby invested with, the direction, regulation, maintenance, and ordering, of the land and sea forces, and of the militia, and all military establishments and arrangements within this Colony; subject always, to the control of the Congress.

Second. That the Council, or a majority of them, shall have full power and authority, to appoint officers, and fill up vacancies in the land and sea forces, in the militia, and in the treasury of this Colony. And that they be empowered to suspend any officer of the army or navy, when they shall judge it necessary; and shall within a convenient time, not exceeding forty days, after such suspension, order a general court-martial to sit for the trial of such officer; whose sentence shall be final, unless it shall be otherwise determined by the Provincial Congress.

Third. That if, upon any exigency it shall appear necessary to the Council of Safety, to call forth the militia; they shall have full power and authority to carry the acts of Assembly for regulating the militia of

this Colony in all respects into execution, as in time of alarm.

Fourth. That if any complaint be made against any officer of the militia—the Council of Safety, after having inquired into the truth of it, and heard the defence of the officer, if he hath any; may remove such officer, if they judge the complaint to be just; and forthwith appoint another in his stead.

Fifth. That the commissioners of the Treasury, shall be under the direction of the said Council of Safety, or a majority of them as aforesaid; and shall be obliged to issue and pay all such orders, as shall be drawn by them, for answering the demands of the public service, and no otherwise.

Sixth. That the Council of Safety, or a majority as aforesaid, be empowered and authorized, to do all matters and things, relative to the strengthening, securing, and defending the Colony; as shall by them be judged and deemed expedient and necessary. *Provided, nevertheless,* That nothing herein contained, shall extend, or be construed to extend, to empower and authorize the said Council, or majority as aforesaid, to dispense with, or annul, any act, resolution, or order of the Continental, or Provincial Congress; or to empower and authorize them, to nominate and appoint a General or Generals, over the military forces of this Colony.

Seventh. That the Provincial Congress will indemnify the Council of Safety, in all their acts and proceedings, under the authority of the Congress.

Eighth. That thirteen members, elected in Congress, as members of a Council of Safety, together

with the Delegates of this Colony to the Continental Congress, shall be, and they are hereby declared, the Council of Safety for this Colony. *Provided always,* that no person holding a military commission in the regular forces of this Colony, or in the Continental army, shall be capable of possessing a seat, or of having a voice in the said Council.

Ninth. That the said Council of Safety shall continue in office, and exercise the powers thereunto annexed, until the end of the next session, and under the control of Congress. And, in case of any vacancy in the Council of Safety, during the recess of the Congress, by death, or departure from the Colony, (except upon public business,) the General Committee for the time being, after having given six weeks' public notice thereof in the gazettes, shall, by ballot, fill up every such vacancy.

By conferring these powers on the Council of Safety, the Provincial Congress had relieved themselves from a vast pressure of executive business; and on the 28th November, they wrote a letter to their Delegates in the Continental Congress, stating the then situation of affairs; and requesting them to use their utmost endeavours to procure two hundred able seamen, for manning the armed vessels in the colonial service. And so much did they still feel for the situation of Lord William Campbell, who had taken up his residence on board of the Cherokee sloop of war; that on the 27th it was resolved, “that previous to any attack upon the men of war in the Road, the intended attack upon such ships, shall be notified to Lord William Campbell, if he shall then be on board.” After this, the Congress resolved that a battery be erected on South-Bay—and the leading mark over Charlestown Bar, was cut down and destroyed.

They also ordered draughts of militia, to be marched to the general rendezvous at Dorchester, and others to be in readiness to relieve them—that the Committees on the sea-islands erect look outs, and give signals and alarms when necessary. And, having received a letter from their Delegates at Philadelphia, dated 2d November 1775, earnestly recommending, “that all the cannon should be mounted, and the town and harbour defended to the last extremity”—also recommending the arrest of persons, whose going at large was thought dangerous to the American cause, they passed resolutions on those subjects respectively. At this time, forges were also directed for heating cannon balls; and the completion of the Prosper ship of war, was directed to be expedited. Gun-powder and ball were also issued to Major Elliott, for the use of the batteries—and premiums were voted, to encourage the making of salt-petre, and other articles of the first necessity.

Messrs. De Saussure and Powell, who had returned from their deputation to Georgia, having reported some pernicious and illicit practices which had come under their observation, relative to the disposal and exportation of indigo from Georgia; the Congress resolved, “That no produce of the united colonies be exported (except from Colony to Colony, under the direction of the Committees of Inspection and Observation, and except from one part to another of the same Colony) before the first day of March next, without the permission of this Congress. And that no rice be exported under the exception contained in the fourth article of the Association, from any of the United Colonies, to Great Britain, Ireland, or the Islands of Jersey, Guernsey, Sark, Alderney, or Man, or any other European island or settlement, within the British dominions;” and the President of the

Congress was directed to write to Georgia, relative to the exportation of indigo and rice; and to enclose a copy of the continental resolve relative to the latter. On this day (29th Nov.) also, the Congress appointed a Committee to consider what improvements ought to be made, between different rivers in the Colony; and particularly between Santee and Cooper Rivers on one side of Charlestown, and Edisto and Ashley Rivers on the other. They also declared, the counterfeiting or imitating any of the certificates passing as money, by authority of Congress, to be a capital offence, punishable as such.

The Congress then resolved thanks to several persons, who had been volunteers in hazardous services; for the benefit of the Colony, or the common cause. And that the Council of Safety be authorized and empowered to bestow honorary or other rewards, upon such as they shall think entitled to the same. Thanks were also returned to Mr. Peter Timothy “for his great diligence, unwearied attention, and accuracy, in the execution of his office.”

It was now resolved, “That the thanks of this Congress be returned, to the Hon. William Henry Drayton, President thereof, for the diligence and propriety with which he has discharged the duties of that important station: and, that the Hon. Mr. Lowndes do, on the part of the Congress, deliver to Mr. President their thanks accordingly.”

Mr. Lowndes then addressed the Chair, in the following manner: “Mr. President, the Congress sensible of your integrity of heart, and ability of mind, placed you in the Chair, for the most important purposes. Your unwearied attendance, during this long session, and your conduct, have given the most perfect

satisfaction: you are, therefore, justly entitled to the thanks of this Congress; who, have made me the instrument, by which, their thanks are presented to you; and which, in their name, I do present." The Congress was then adjourned on the 29th November, to Thursday the first day of February 1776.

This important session of the Provincial Congress being now closed, and the government of the Colony placed in the hands of the people; the mind may be allowed to dwell a little on the scenes, which occurred during that period. And, while it deplores the injustice of Kings, and of corrupt Administrations; it will have cause to turn in thankfulness, to that Almighty Power; who by easy transitions, was leading the public mind to union: and by various exercises, was preparing the hearts and arms of our citizens, to oppose the war, which was coming forward against American liberties. Under this impression, the opposition which was maintained by respectable members of the community, as well in the General Committee, and the Council of Safety, as in the Provincial Congress; may be considered as interpositions of Divine Wisdom, for preventing a precipitancy of measures, before the public mind was prepared to support them: and without which, the best concerted measures must have failed.

For, it must not be understood, that the individuals whose names have been mentioned, as leading opposition in the public councils, had any other than the purest views, in so doing: as every free independent citizen of this community has, from the first settlement of this Colony, maintained his right to comment on the proceedings of the government, as affecting his liberty, his rights, and his property: and, as men view occurrences, through the mediums best suited to their seve-

ral capacities. Besides, it must not be forgotten, that the citizens of South-Carolina, did not lead, but followed, the American Revolution. They, had been mildly treated by the Royal Government, and, therefore, did not hastily lose sight of British protection. Hence, the public mind weighed, how far it should support violent measures against the ancient Government: and, did not give way, until the revolutionary troubles, and revolutionary principles thence arising, led them step by step, to concede points as proper and patriotic; which, a short time before, they had thought disloyal, and unadviseable. For these reasons, the opposition members were always kept in place; as eliciting by their opposition, more prudent measures. And, that their conduct in so doing, was not disapproved; the high public stations to which many of them were called, during the most critical times of the revolution; will be the best assurance of the public approbation. In their lifetimes, it was their best reward: and to their posterity, who now profit by their ancestor's services, it will ever be a source of happy reflection—that they did not struggle for their own and their country's rights, in vain.

A P P E N D I X

TO

CHAPTER XI.

No. I.

THE following General Orders, were issued by Col. William Moultrie, commanding.

General Orders, Sept. 15, 1775.

Ordered, that Captains Benjamin Cattel, Adam M'Donald, and John Barnwell's companies of the first regiment, and that Captains Peter Horry, and Francis Huger's companies be completed to fifty men each, and to hold themselves in readiness to march: Major Owen Roberts to command this detachment.

To Major Owen Roberts of the first regiment.

SIR,

You are to proceed with your detachment to Gadsden's wharf, where you will find two schooners

ready to take on board your party; with them you will proceed to Fort Johnson on James' Island. On your arrival there, you are to send an officer to Col. Motte to acquaint him: then march to the fort, and put yourself under his command. You are not to suffer any boats to obstruct your passage.

To Lieut. Col. Motte.

SIR,

I have sent Major Roberts with two hundred and fifty men to reinforce you. You are to defend the fort from all parties that may attempt to land; but if the man of war should attack the fort, and you find that you cannot make a stand against her, you are to withdraw your men to some place of safety, out of the reach of her guns: but you are to take care not to suffer any parties to land with an intent to damage the fort.

See Moultrie's Memoirs, vol. I. p. 89, 90.

No. II.

Tamer Sloop, Rebellion Road.

So. Carolina, 19th Sept. 1775.

SIR,

In answer to your letter of this day, I have only to say, that I could not offer such an affront to your judgment, as to give reasons for my *conduct*, which I think must be obvious to you; and you may be assured, that while I have the honour of commanding one of his Majesty's ships, I am determined to have the assistance of a pilot, and every necessary supply, by

force, if I cannot obtain them in an amicable way, which I shall ever prefer.

I am, Sir,

Your most humble servant,
EDWD. THORNBROUGH.

To Henry Laurens, Esquire.

No. III.

Address of the General Committee of Charlestown, to the Governor of the Province of South-Carolina.

IN GENERAL COMMITTEE,

Sept. 29th, 1775.

May it please your Excellency.

It is with great concern we find that for some days past, your Excellency has been pleased to withdraw yourself from Charlestown, the seat of your Government, and have retired on board the King's ship. The inconveniences which must unavoidably arise to the people, deprived by this step, of that access to your Excellency, which is absolutely necessary for transacting public affairs, is apparent; and we submit to your Excellency's consideration, whether the retirement of our Governor to a King's ship, in this time of general disquietude, when the minds of the people are filled with the greatest apprehensions for their safety, may not increase their alarm, and excite jealousies of some premeditated design against them.

We, therefore, entreat, that your Excellency will return to Charlestown, the usual place of residence of the Governor of South-Carolina; and, your Excellency may be assured, that whilst, agreeable to your repeated and solemn declarations, your Excellency shall take no active part against the good people of this Colony, in the present arduous struggle for the preservation of their civil liberties, we will, to the utmost of our power, secure to your Excellency that safety and respect for your person and character, which the inhabitants of Carolina have ever wished to show to the representative of their Sovereign.

By order of the General Committee.

HENRY LAURENS, *President.*

To Lord William Campbell, Governor and Commander in Chief, in and over his Majesty's Province of South-Carolina, &c. on board his Majesty's sloop Tamer, in Rebellion Road.

His Excellency's answer.

Tamer, Rebellion-Road, September 30th.

SIR,

I have received a message, signed by you, from a set of people who style themselves a General Committee. The presumption of such an address, from a body assembled by no legal authority, and whom I must consider as in actual and open rebellion against their Sovereign, can only be equalled by the outrages, which obliged me to take refuge on board the King's ships in the harbour.

It deserves no answer, nor should I have given it any, but to mark the hardness with which you have

advanced, that I could so far forget my duty to my Sovereign and my country, as to promise I would take no active part in bringing the subverters of our glorious constitution, and the real liberties of the people, to a sense of their duty. The unmanly acts that have already been used to prejudice me in the general opinion, may still be employed by that Committee; but I never will return to Charlestown, till I can support the King's authority, and protect his faithful and loyal subjects.

Whenever the people of this province will put it in my power to render them essential service, I will, with pleasure, embrace the opportunity; and think it, a very happy one.

I am, Sir,

Your most humble servant,

WILLIAM CAMPBELL.

To Henry Laurens, Esq.

See the London Remembrancer for 1776, Part I. p. 111, 112.

No. IV.

Letter from Captain Thornbrough, to Henry Laurens, Esq.

*From on board His Majesty's ship Tamer,
the 1st of November 1775.*

SIR,

The many unprovoked insults the King's servants in this province have received, from those *Assemblies* who have had the hardiness to assume the

reins of government, are too numerous, and too well known, to make it necessary for me to mention them. I will confine myself entirely to what relates to my own department, and the trust reposed in me.

I therefore address you, Sir, as a principal actor in the measures now adopted, and desire you will acquaint your associates, and all others whom it may concern, that if his Majesty's agents in Charlestown, are not permitted, regularly and without molestation, to supply the King's ships Tamer and Cherokee, under my command, with such provisions as I think necessary to demand; I am determined, from this day, not to suffer any vessel to enter into, or depart from Charlestown, that it is in my power to prevent.

The bearer of this, is owner of a vessel, who has unloaded materials at the King's fort, which is now held in contempt and defiance of his Majesty's authority; and, whatever pretexts this man may use to colour his disloyalty, I never will suffer his vessel to depart, till Walker, the gunner of the King's fort, now a prisoner at the barracks, and who I look upon as under my protection, is sent on board the Tamer. Savages ought to blush at the return the King's servants have received, for their humanity to one of the most infamous and most ungrateful of *Villains*, in whose service this poor man has suffered.

I am, Sir,

Your obedient and most hum. servt.

EDWARD THORNBROUGH.

N. B. I desire an immediate and explicit answer.

Answer to the above letter.

IN CONGRESS.

Charlestown, South-Carolina, November 3d, 1775.

SIR,

Col. Laurens, the late President, yesterday laid before us, your letter of the first instant. Before we make any answer to it, we must intimate to you, that as, by your verbal answer to a public messenger, who carried you a letter dated 28th ult. from Col. Laurens as President, you promised a written answer to that letter, relative to an information received, that a runaway Negro, the property of John Allen Walter, Esq. was harboured on board the sloop of war under your command—so, your unexpected silence on this head, at once is a breach of the rules of propriety, and a negative confession, that the Negro, if not on board the Tamer, is actually harboured on board the Cherokee, the residence of Lord William Campbell, or some other vessel under your command.

The public, Sir, are too well acquainted with the arbitrary and irritating style peculiar to Lord William Campbell's Secretary, for us to have the least room to imagine, that you are the framer of the letter you sent to Col. Laurens, dated 1st instant. However, we cannot but declare, that we know of no “unprovoked insults” the King's servants have received from any assembly by authority of the people; and we wish we could say, that the conduct of the King's *principal servant* hath not made him an object of the just resentment of the public. Having declared these things, it may not be improper that we just hint to you, that we are not destitute of means enabling us to take vengeance, for any violence you may think proper to per-

petrate against the shipping bound to, or out from this port.

You ought, Sir, for very obvious reasons, to have been well assured, that Walker, the late gunner, is a prisoner at the barracks, before you, in absolute terms, declared, that he is "now a prisoner" there, and threatened to detain a coasting vessel until he should be thence discharged and sent on board the Tamer. We declare, that Walker is not in confinement at the barracks, and has not been in confinement there, since his discharge from thence on his parole several weeks ago. We do not know where he is: but, from the strictest inquiry we have been able to make, we have no reason to think he is within this Colony. On the contrary, we learn, that Lord William Campbell dispatched him (and that you are privy to his departure) to St. Augustine with a letter, as Walker himself has declared, to desire that a military force might be sent against the good people of this Colony. Walker was landed at Savannah, and we have not heard of him since.

By the last sentence in your letter, we find you have been deceived into a belief, that Lord William Campbell showed great humanity to Captain Wanton, of Rhode-Island, who unfortunately fell into his hands; and that it was, *bona fide*, Captain Wanton's interest to employ Walker on board his vessel. We have strictly inquired of Captain Wanton touching these points, and from this examination we are able to say, that if Lord William Campbell's declaration to Captain Wanton, that his vessel was seized under a late act of parliament, and his sending the Captain, his crew, and vessel to proceed to St. Augustine, under an armed force on board, in order there to be condemned, are acts of humanity, it was certainly "ungrateful"

in the Captain and crew, on the passage, to overpower the armed force, and to rescue the vessel from an arbitrary seizure. But, as Walker was, by Lord William Campbell, armed, and contrary to the interest of Captain Wanton, put on board his vessel *to command*, and to conduct her to St. Augustine, and for the purpose of condemnation too, we cannot understand that in the execution of such a business, he was in the *service* of Captain Wanton; or, that Captain Wanton was guilty of any impropriety, in getting rid of him as soon as he could, by landing him at Savannah.

These things, Sir, having the greatest appearance of being facts, the most positive declarations to the contrary, short of absolute proof, from on board the Cherokee,* will not alter our determination; or, the opinion of the public on these points.

I am, Sir,

Your most obedient servant,

WILLIAM HENRY DRAYTON,

President.

To Edward Thornbrough,

Commander of the Tamer sloop of war.

—

Reply of Captain Thornbrough.

Tamer, Rebellion Road, Nov. 4th, 1775.

SIR,

Without the aid of any *Secretary*, armed as I am with truth, I can enter the lists even with Mr. William Henry Drayton, when his weapons are sophistry, falsehood, and the grossest misrepresentation.

* Lord William Campbell had his quarters on board of the Cherokee.

On after consideration, I did not think Mr. Laurens' letter worthy a written answer, as I never directly or indirectly harboured the run-away slave of any person; and I will answer for the gentleman who commands the Cherokee, that his conduct has been exactly similar to mine in these matters. It is not my business to enter into any detail of the treatment, the King's Representative and the other servants of government have met with, from those assemblies which you have dignified with the name of the public; but, I have prevailed on his Excellency to favour me with an extract of his letter to Governor Tonyn at St. Augustine, which I now enclose; as it will enable the people of this Province, to form a judgment of Captain Wanton's worth and gratitude, as well as of your candour and veracity. As I have some reason to think the original is in your custody, or in that of your emissaries, you will hardly dispute its authenticity.

But, to the main purport of my letter, while I command the King's ships here, I will procure provisions by every means in my power; if the methods I am under a necessity of taking for that purpose, should subject his Majesty's faithful and loyal people in this Province to any inconvenience, I shall be extremely sorry; but, they are to impute it entirely to those who have plunged this late happy country into misery and distress, and not to me, who have always protected it to the utmost of my power.

I am to acknowledge Walker was not your prisoner on the late occasion—he is returned; in that point, I was misinformed. I shall only add, that I am here determined to drop this correspondence; which, is a very disagreeable one to me: and, I shall only expect

a speedy and explicit answer. I am, Sir, your most obedient servant,

EDWARD THORNBROUGH.

To William Henry Drayton, Esq.

—

Extract of a letter from his Excellency the Right Hon. Lord William Campbell, to Governor Tonyn of St. Augustine.

— “The bearer of this, is a man who says he was bound from Newport in Rhode-Island, to Nantucket, in a small sloop which he had freighted; but in a hard gale of wind was drove to the southward, without either chart or quadrant, and with only two landsmen and a boy on board; by a kind of miracle he made this harbour yesterday, and pushed in at a venture. The poor man’s dreadful situation fully proved the truth of his story, although he had no clearance from Newport; and the unfeigned joy he expressed when he found himself in safety, left no doubt of the reality of the distresses he had suffered.

“By the late acts of parliament, he might be considered as a legal prize; but Captain Thornbrough of the Tamer, and Mr. Fergusson (who commands the Cherokee) had too much humanity to think of that, though we were all a good deal diffculted what to do with him. Return he could not—and it would have been highly improper, as well as impolitic, to have suffered him to go to Charlestown, in the present situation of affairs there; as he had been only nine days from Newport, and not above a month ago, was in the rebel’s camp near Boston. I therefore proposed sending him to St. Augustine, which Captains Thornbrough and Fergusson readily agreed to; at the same

time generously offering to supply his little wants; and the man most cheerfully and with great thankfulness acquiesced. This arrangement gave me the more satisfaction, as it enabled me to furnish your Excellency with many particulars you will be anxious to know, of the state of affairs to the northward by means of this Skipper; who you will find sensible and intelligent: his cargo consists of cider, apples, and cheese; and I shall be happy if it proves a seasonable supply of those articles to your Province, at this juncture. Captain Innis has given him a few lines to a friend of his in the mercantile way, to assist him in making the most of it, and procuring some employment for his bark till the summer; before which time he cannot venture to return home. To assist in navigating this vessel, and at the same time to prevent any attempt to run her into any of the little harbours on this coast, I have directed the gunner of Fort Johnson, one Walker, an old seaman, and a poor man who has been cruelly treated by the Charlestown people,* to go in her to Augustine; and your Excellency will be so obliging as to send him back by the first opportunity."

Ordered, That Mr. President be desired to take Captain Wanton's affidavit, upon the subject mentioned in the Extract; and also to prepare a resolution on the present correspondence with Captain Thornbrough; and the affidavit to be taken, to be laid before the Congress.

Captain Wanton's affidavit.

South-Carolina, Charlestown District:

This day personally appeared before me, John Wanton, Captain of a sloop from Rhode-Island, who

* He had been tarred and feathered by them.

being duly sworn, sayeth, that on or about the twelfth of October last, he arrived in Rebellion Road, near Charlestown, in the Colony aforesaid, when Captain Thornbrough of the Tamer sloop of war, caused his vessel to anchor under his stern; and caused him, the said Deponent, to go on board the Cherokee, to speak with Lord William Campbell. That after the said Lord William Campbell had inquired into the Deponent's case, he told him, that by the late acts of parliament, his sloop was liable to be seized; and, that he should, in discharge of his duty, send him to St. Augustine; this Deponent apprehending, in order to be condemned. And afterwards, his mate informed him, that an officer from on board the Tamer privately acquainted him, the said mate, that Lord William Campbell had determined to send the Deponent's vessel to St. Augustine, in order to be condemned.

That the said Lord William Campbell, against the consent of the said Deponent, caused an armed force to be put on board his vessel, to conduct her to St. Augustine. That Lord William Campbell did not make him, the Deponent, a bearer of any letter to Governor Tonyn. That he, the Deponent, never did tell Lord William Campbell, that he had two landsmen on board; having in reality two good seamen and a boy, who were fully sufficient to guard his vessel. That on the passage towards St. Augustine, one Walker, who, by Lord William Campbell, was put on board his, the Deponent's vessel to command her, told him, the Deponent, that he had a letter from Lord William Campbell, to Governor Tonyn; with strict orders, that if he was in any danger of being taken by the Americans, he should be sure to sink the said letter in the sea, with two swivel bullets, which the said Deponent saw; and which, the said Walker told him, had been delivered to him for that purpose. And

the said Walker also told him, the Deponent, that Lord William Campbell's Secretary had told him, that the letter was, to desire that soldiers should be sent to Charlestown from St. Augustine. And further this Deponent saith not.

JOHN WANTON.

Sworn before me, this 6th November 1775.

PETER BOUNETHEAU, J. P.

Ordered, That Captain Wanton's affidavit and resolution thereupon, be printed and made public, with the other papers already ordered and relative thereto.

See Extracts from the Journals of the Provincial Congress of South-Carolina for Nov. 1775, pages 9, 16, 25, 26, 30, 32, 33.

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No. V.

BY ORDER OF CONGRESS.

Charlestown, Nov. 9th, 1775.

*To Col. William Moultrie, or the Commanding Officer,
at Fort Johnson.*

SIR,

You are hereby commanded with the troops under your orders, by every military operation, to endeavour to oppose the passage of any British naval armament, that may attempt to pass Fort Johnson, until further orders by Congress, or Council of Safety.

I have the honour to be, Sir,

Your most humble servant,
WILLIAM HENRY DRAYTON, President.

Ordered, That Mr. President be desired to write to Captain Thornbrough, signifying to him the resolution the Congress have entered into this night, respecting ships of war passing Fort Johnson.

BY ORDER OF CONGRESS.

To Edward Thornbrough, Esq. Commander of the Tamer sloop of war.

Charlestown, Nov. 9th, 1775.

SIR,

The late cruel cannonade of Bristol by the British ships of war, to enforce an arbitrary demand of sheep—the general depredations on the American coasts, by ministerial authority—the late advices from England of large military armaments by land and sea, for the hostile invasion of the Colonies upon this continent—and, the proclamation of the 23d of August last, at the Court of St. James', by which the good people of America are unjustly described as in avowed rebellion—superadded to the former American grievances—together, with Lord William Campbell's threats of hostilities against us—have sunk deep in the minds of a people; who, seeing themselves by the royal act, in effect put out of the regal protection, are at length driven to the disagreeable necessity of ordering a military opposition to the arms of the British ministry. But the people of South-Carolina remembering, that those who point the British arms at their breasts, and against their invaluable liberties, are their dear countrymen, and once were their friends; unwilling, yet determined, vigorously to oppose any approach of threatening danger to their safety; have directed me to intimate to you, Sir, as Commander in Chief of the British armament on this station, that orders are issued to the Commanding officer at Fort

Johnson, by every military operation, to endeavour to prevent every ministerial armament from passing that post.

We thus think it proper to warn you from an approach, that must be productive of the shedding of blood; which, in other circumstances, we would endeavour to preserve.

I have the honour to be, Sir,

Your most humble servant,

WILLIAM HENRY DRAYTON, *President.*



No. VI.

Ordered, That the following letter be immediately sent to Captain Tufts:

Charlestown, Nov. 9th, 1775.

SIR,

You are hereby ordered immediately to repair with the schooner Defence under your command, to the mouth of Wappoo-Creek; where you are expected to arrive by daylight: and to give your personal attendance on the President, directly after your arrival.

By order of Congress.

WILLIAM HENRY DRAYTON, *President.*

Captain Simon Tufts,

of the Colony schooner Defence.

Ordered, That Col. Moultrie do forthwith detach a Captain with thirty-five able privates on board the schooner Defence, and that Mr. President do issue orders for that purpose.

BY ORDER OF CONGRESS.

SIR,

You are hereby ordered to detach a Captain and thirty-five able men of the regiments under your command, who are to act as marines; and are to embark to-morrow, on board the Colony schooner Defence, commanded by Captain Simon Tufts, until further orders.

I have the honour to be, Sir,

Your most obedient servant,

WILLIAM HENRY DRAYTON, *President.*
To Colonel Moultrie.

☞ See Extracts, &c. pages 60—63.

No. VII.

Charlestown, Nov. 12th, 1775.

SIR,

You are hereby ordered, to post a detachment of fifty able men from the regiments under your command, with such officer as you shall judge proper for the service, at whatever wharf in Charlestown the ship Prosper, impressed into the service of the Colony shall lie; and to guard and protect the said ship against any attempt that may be made to injure or remove her, until further orders.

By order of Congress.

WILLIAM HENRY DRAYTON, *President.*

To Colonel Moultrie.

☞ See Extracts, &c. page 80.

Resolved, That Col. Moultrie be directed forthwith, to order a detachment of forty privates, who are best acquainted with maritime affairs, to do duty and serve on board the armed ship Prosper for one month, unless sooner discharged by proper authority.

☞ See Extracts, &c. page 146.

BY AUTHORITY OF CONGRESS.

November 27th, 1775.

SIR,

You are hereby ordered to detach from the regiments under your command, forty such privates as are best acquainted with maritime affairs, and cause them to be embarked on board the Colony's ship Prosper; there to remain during one month, (unless sooner discharged by proper authority) to do duty under the orders of the officers commanding on board that ship.

WILLIAM HENRY DRAYTON, *President.*
To Colonel Moultrie.

☞ See Moultrie's Memoirs, vol. I. p. 110

No. VIII.

South-Carolina.

BY AUTHORITY OF CONGRESS.

A DECLARATION.

It has ever been the policy of America in general, and of this Colony in particular, to endeavour to culti-

vate a good correspondence with the neighbouring Indians, and especially so, since the commencement of the present unhappy disputes with the British administration. This policy, originated from a view of preserving at the cheapest rate, our borders from savage inroads, pushed on by French or Spanish management, or Indian avidity or ferocity. Of late, this policy has been persevered in; and our endeavours have been redoubled, in order to oppose and frustrate the design of the British Administration, by the hands of Indians, to deluge our frontiers with the blood of our fellow citizens. Experience has taught us, that occasional presents to the Indians, has been the great means of acquiring their friendship.

In this necessary service, government every year has expended large sums of money; and the Continental Congress having divided the management of the Indian affairs into three departments, have allotted for the expenses of this southern department the sum of ten thousand dollars, in order to preserve the friendship of the Indians on the back of our settlements. The late Council of Safety, spared no pains to confirm them in their pacific inclinations; but, from the repeated, constant, and uniform accounts they received from the Council of Safety in Georgia, the Indian traders in that and this Colony, and among the Creeks and Cherokees, and the persons there employed by the two Colonies to superintend the Indian affairs, it clearly and unfortunately appeared, that a general Indian war was inevitable, unless the Indians were furnished with some small supplies of ammunition, to enable them to procure deer skins, for their support and maintenance.

Rather than draw on an Indian war, by an ill-timed frugality in withholding ammunition; our friends in

Georgia resolved to supply the Creeks with such a quantity as might, in some degree, satisfy their urgent wants, but could not incite by enabling, them to commit hostilities. They sent on that service two thousand weight of powder, and a proportionable weight of lead: they also, strongly pressed the late Council of Safety, to supply the Cherokees.

About the end of September, the Honorable William Henry Drayton, a member of the late Council of Safety, met several of the Cherokee head men at the Congarees. Nothing, could in the least degree satisfy them, but a promise of some ammunition. At length, the late Council, in October last, issued a supply of ammunition, consisting of only one thousand weight of powder, and two thousand pounds weight of lead, for the use of the Cherokees; as the only probable means of preserving the frontiers from the inroads of the Indians: and the Council the more readily agreed to this measure, because, as they almost daily expected that the British arms would attack the Colony in front on the sea-coast, they thought they would be inexusable, if they did not, as much as in them lay, remove every cause to apprehend an attack at the same time from the Indians upon the back settlements.

But this measure, entered into by the Council, upon principles of the soundest policy, of Christianity, breathing equal benevolence to the Associators and Non-Associators, in this Colony, and arising only from necessity; unfortunately has been, by some Non-Associators, made an instrument for the most diabolical purposes.

These wicked men, to the astonishment of common sense, have made many of their deluded followers believe, that this ammunition was sent to the Indians,

with orders for them to fall upon the frontiers, and to massacre the Non-Associators; and taking advantage from the scarcity of ammunition among individuals, arising from the necessity of filling the public magazines, they have invidiously represented, that ammunition ought not to be sent to the Indians, while the inhabitants of the Colony, individually, are in a great degree destitute of that article; industriously endeavouring to inculcate this doctrine even in the minds of the Associators.

Wherefore, in compassion to those, who are deluded by such representations, the Congress have taken these things into their consideration, which otherwise would have been below their notice; and they desire their deceived fellow Colonists to reflect, that the story of the ammunition being sent to the Indians, with orders for them to massacre the Non-Associators, is absurd in its very nature:

First. Because the whole tenor of the conduct of the Council of Safety demonstrates, that they were incapable of such inhumanity as a body; the character of each individual shields him against a charge of so cruel a nature; and, Mr. Drayton's conduct at Ninety-Six, at the head of the army, fully showed, that the blood of the Non-Associators was not the object of his policy.

Secondly. Because also, if men will but call reason to their aid, they must plainly see, that if the Indians were let loose upon the frontiers, they must indiscriminately massacre Associators and Non-Associators; since, there is no mark to distinguish either to the Indians: and therefore, no Associator, of but common sense, could think of promoting the interest of his

party, by executing a measure which must equally ruin friend and foe.

However, in order to clear up all difficulties on this head; and, for the ease of the minds of our deceived friends, the Congress in a body, and also individually, declare, in the most solemn manner, before Almighty God, that they do not believe, any order was ever issued, or any idea was ever entertained, by the late Council of Safety, or any member of it; or, by any person under authority of Congress, to cause the Indians to commence hostilities upon the frontiers, or any part thereof. On the contrary, *they* do believe, that they, and each of them, have used every endeavour to inculcate in the Indians, sentiments friendly to the inhabitants, without any distinction.

It is greatly to be regretted, that our fellow Colonists, individually, are not so well supplied with ammunition, as would be adequate to their private convenience. But, is not the situation of public affairs, which renders it absolutely necessary to guide the channels through which ammunition is brought to the Colony into the public magazines, before any part of them can be permitted to reach the public individually, also to be lamented? Ought not—nay, this unhappy situation of public affairs, *does*, justify the filling the public magazines; thereby, securing the welfare, and forming the defence of the state, at the risk of the convenience or safety of individuals. And if out of the public stock, a quantity of ammunition is given to the Indians, which may be sufficient to keep them quiet, by in some degree supplying their urgent occasions; ought our people—nay, they cannot have any reasonable ground—to arraign that policy, by which, they are and may be, preserved from Savage hostility; or, to complain, that because the whole Colony, the

public and individuals, cannot be supplied with ammunition, therefore a small quantity ought not to be sent to the Indians. Men should reflect, that this small quantity is given in order to render it unnecessary to supply the public individually, on the score of a defence against Indians—a service, that would consume very large quantities of an article, that experience teaches will be diminished when individually distributed. Men should also reflect, that while the public magazines are well stored, supplies can be instantly, plentifully, and regularly poured upon those parts, where the public service may require them. And the public are hereby informed, that although, when the present disturbances began, there were not in the Colony, more than five hundred pounds weight of public powder; yet, by the vigilance of the late Council of Safety, the public stock has been so much increased, as to induce the present Congress, to make an allotment of five thousand pounds weight for the defence of the interior parts of the Colony, besides several considerable quantities already disposed of on that service.

Men ought likewise to take into consideration, that as the Council of Safety, by various, and a multitude of means, procure a constant, speedy, and authentic information, of the state of all parts of the Colony, and of the Indians; so, by being much better informed upon these points, than the public individually, the Council are the most competent judges where ammunition ought to be sent; whether a small quantity to the Indians, with a view and probability of keeping them quiet; or, a large quantity to the inhabitants necessarily, to arm them against the Indians.

Common sense and common honesty dictate, that if there is a probability, that by a present of a small

quantity of ammunition, the Indians can be kept in peace; that present ought not to be withheld at the hazard of inducing an Indian war; thereby, of expending not only a much larger quantity of ammunition; but of involving the Colony in an immense expense, breaking up whole settlements, and unnecessarily sacrificing a number of lives.

WILLIAM HENRY DRAYTON, *President.*

Charlestown, Nov. 19th, 1775.

See Extracts, &c. page 108.

No. IX.

Charleston, July 7th, 1820.

DEAR SIR,

Your letter of the 5th instant is now before me, in answer to which, I can inform you; that I recollect about the 11th day of Nov. 1775, the Colonial Government of this then Province, ordered several hulks to be sunk across Hog-Island Channel; and ordered Captain Simon Tufts, who then commanded the armed schooner called the Defence, to cover the sinking of the said hulks. That he accordingly went down, about 4 o'clock, p. m. on the above day, for the purpose above mentioned. There were, I think, two British men of war, the Tamer and Cherokee, then lying at anchor near Sullivan's Island. As soon as they discovered the station Captain Tuft's had taken with his vessel, and the people at work to sink the above hulks; the Tamer warped in as near as she could then get, and commenced firing upon the above schooner, for some time. However, all the hulks, I believe, but one, were then sunk.

Early the next morning, Captain Tufts in the above schooner came up—a number of persons had collected on Beale's wharf, to learn the result of the above firing. As soon, as the above schooner had come to an anchor, opposite the above wharf; Col. Charles Pinckney, the father of our present representative in Congress, said to the by-standers, Gentlemen, let us give her (meaning the schooner Defence) three cheers; which was accordingly done. In a few minutes after, a boat put off from the said schooner, with your father the Honorable William Henry Drayton; and landed him at the above wharf. As soon as he landed, he was surrounded by a crowd of people; and was asked, if the schooner had received any injury from the number of shot that had been fired at her, by the above men of war? To which he replied, with a great deal of good humour; "None, excepting one shot, that struck her between wind and water." A few other questions on the subject were then asked him; all of which, he promptly answered: and then left the wharf, followed by a number of persons.

I am with the highest consideration,
Dear Sir, your obedient servant,
THO. LEHRE.

*The Hon. John Drayton,
U. S. Judge for the District of So. Carolina.*

CHAPTER XII.

The new Council of Safety, choose Henry Laurens their President; and enter upon Executive Duties—Captain Richard Pearis' conduct; he joins the Insurgents—Major Robinson at the head of the Insurgents, crosses Saluda River—Major Williamson retreats, to Ninety-Six Court-House—Fortifies a position in its vicinity; where he is besieged—Hostilities take place—A treaty entered into, by which hostilities cease—A messenger, from Major Robinson to Governor Campbell, is arrested—The messenger's confessions—Colonel Richardson takes the field against the Insurgents, and marches to the Congarees—from whence he enters the Dutch Fork; and penetrates so far, as the Indian boundary line—He suppresses the Insurrection—takes many prisoners—and sends the principal offenders under a guard to Charlestown—After which, he dismisses the troops under his command—Situation of affairs in the back country—Col. Fletchall's Regimental District, is divided into three Districts—Commissions of all officers who had been in arms against the Provincial Congress, declared null and void—The Provincial Congress, return thanks to Colonel Richardson—A summary of the principal proceedings of the Continental Congress, during the year 1775.

AFTER the adjournment of the Provincial Congress, the administration of the government of the Colony,

vested in the Council of Safety; who chose Henry Laurens again, to preside over them. Men now, with well-founded hopes, looked forward to happy results; as the orbit in which the Council was to move, was extensively and clearly defined: and as they were prohibited from infringing the strong measures, which the Congress had brought into action.

We left Major Williamson and the Insurgents of the back country, respectively embodying their followers against each other. Williamson lay almost a fortnight encamped near Ninety-Six Court-House; receiving the militia who came in, and waiting for the rangers. The Insurgents were diligent on their parts, aided not a little by Captain Richard Pearis; who had joined them, because he had not been noticed in the late appointments and promotions, in the military arrangements of the Provincial Congress. He, therefore, became outrageous against Mr. Drayton, from whose endeavours he expected it; and was urged by the violence of his passions, and the support of his new associates, to make an affidavit; in which, after abusing Mr. Drayton, with a view to lessen his consequence with the people; he charged the late Council of Safety with a design of bringing down the Cherokee Indians upon the settlements, to cut off all who were considered as disaffected persons, or King's men, as they called themselves. And to give colour, to so vile a report, he averred in his affidavit, that the ammunition taken by Patrick Cunningham, was on its way to the Cherokee Nation, for that purpose. In addition to this affidavit, it was known that Pearis had brought down the Cherokee Indians, who had met Mr. Drayton at the Congarees* in September; and the populace thence naturally supposed, he was acquainted with the

* The word *Congarees* was used at that time, as meaning Granby and its vicinity, on the Congaree River

intentions of the Council, as to those points. And this, with the clamorous industry of the Insurgent leaders, induced the uninformed populace, to credit so absurd an affidavit, and so wicked a report. Hence, they speedily swelled their numbers; while Williamson's militia came in but slowly.

Although the Insurgents were assembling in such force, Major Williamson could not believe they would dare to attack him; and he continued encamped in this persuasion, until the 18th of November; when, in the evening of that day, he received certain information, that the Insurgents were in full march upon him; and that they were actually crossing Saluda River at the Island-ford, in order to attack him.* At this time, Major Mayson, who had been in the neighbourhood with thirty-seven of the rangers, joined Major Williamson; and he would have marched to attack their camp in the night, but was overruled by Mayson and a council of war; who preferred retiring to the cleared ground of Colonel Savage's plantation, which was separated from Ninety-Six Court-House and Gaol by a ravine and spring, supplying the inhabitants with fresh water; where, they might erect breast-works; and from whence, they might use their swivels to advantage. A hope was also indulged, that by taking this position, opportunities would be furnished, for receiving reinforcements of militia; and of Colonel Thomson's arriving with the remainder of his rangers. Under these influences, the line of march was taken up at an early hour; and about daybreak of Sunday the 19th November, Major Williamson with his troops, live stock, provisions and baggage, arrived at the ground proposed. At this place, a square of about one hundred and eighty-five yards was taken in, and fortified; as well, as time and means would permit.

* See the map affixed to Chapter IX.

This was effected in about three hours, by the unremitting exertions of the men; and a temporary stockade fort was made of fence rails, straw, and beeve's hides, with such other materials, as were immediately attainable; and by which, curtains of defence were extended from a barn and store to some out-houses; at the distance, of two hundred and fifty yards from the gaol.

Hardly had they closed this rustic fortification, when the Insurgents appeared in force about eleven o'clock of November 19th, with drums beating and colours flying: and taking possession of the Court-House and Gaol, they advanced troops, and completely invested the stockade fort. Major Williamson then dispatched an officer with a flag, demanding their intention; but Major Joseph Robinson, and Captain Patrick Cunningham, who appeared to be the leaders, refused to have a conference with any person, but the commanding officers. Major Mayson and Captain Bowie were then sent; and a meeting with them took place midway between both parties; Robinson, Cunningham, and Evan M'Laurin, attending on the part of the Insurgents: when after about fifteen minutes' conversation, Major Mayson and Captain Bowie returned, and reported, that they insisted upon an immediate surrender of arms, and disbanding: hinting at the same time, that the men should be kept within the fort, as the only place of safety. Just at this time, two of Williamson's men, near the fort, were seized by the Insurgents; upon which Major Williamson gave orders to rescue them; when a general firing took place from the fort with swivels and small arms—which was answered on all sides by the Insurgents with rifles and muskets, from behind houses, trees, logs, stumps, and fences. For two hours and a half, the firing on both sides was incessant; but from that

time until night, it was less severe. The garrison including officers consisted of five hundred and sixty-two men:*

* See Appendix to this Chapter, No. II.

while the number of the besiegers, was about eighteen hundred and ninety.

During the night, the fort kept up a firing, lest the Insurgents should be encouraged under cover of the darkness, to approach and fire it. On the next day, (Monday) almost as heavy a fire was commenced and continued, as had been kept up the afternoon before; and the besiegers endeavoured to avail themselves of mantelets, which they had constructed, for the purpose of approaching the fort, and setting it on fire; but not being able to advance them so as to cover their approaches, they were destroyed. The firing, however, only slackened with the day; and on Tuesday it was revived and continued, until about sunset; when the Insurgents displayed a white flag from the gaol; and called a parley. To this an answer was given, that if they wished to send an officer or any message, the messenger should be safely received: on which, as the night had commenced, a messenger was sent carrying a lighted candle as a protection; charged with a letter from Major Robinson directed to Col. Mayson:† this letter reiterated their former demands, allowing only one hour for an answer. To this, Majors Williamson and Mayson jointly answered, *they were determined never to resign their arms*; and it was transmitted by Captain Bowie. In two hours, he returned with the original demand, accompanied by Captain Patrick

* See Appendix to this Chapter, No. II.

† Mayson was Lieut. Col. of the Ninety-Six Regiment of Militia; of which Williamson was then acting as Major; but the Council of Safety did not approve of Major Mayson's commanding on the occasion, either as Lieutenant-Colonel of the regiment, or as Major of the 3d regiment of rangers; as their confidence was greater in Major Williamson; and he was more influential in that part of the country.—See Appendix, No. III.

Cunningham; they were met by Major Williamson about fifty yards from the fort; and after some conference, Cunningham went with them into the fort. Here, a discourse was had respecting the claims and rights of each party; after which it was determined that a conference should take place next morning, (Wednesday) at eight o'clock. Accordingly at the appointed hour, Majors Williamson and Mayson, and Captains Pickens and Bowie, met Major Robinson, and Captains Cunningham, Evan M'Laurin, and Pearis; when it was agreed, that hostilities should immediately cease—that the garrison should be marched out of the fort, and their swivels given up; and which by a secret article for that purpose, were in a day or two privately restored.* The treaty farther stipulated, that the public differences, should be submitted to Lord William Campbell, the Governor, on the part of the Insurgents; and to the Council of Safety, on the part of Major Williamson and those under his command—that each party should send their messengers to their Superiors, and twenty days be allowed for their return—that Major Robinson should withdraw his men over Saluda River, and keep them there embodied or disperse them, as he pleased; until, he should receive his Excellency's orders:—that no person of either party should, in the mean time, be molested in returning home—that should reinforcements arrive, they should be bound by the treaty—that all prisoners be set at liberty—the fortifications levelled—and the well, which had been dug in the fort, filled up.†

* This mock surrender of the swivels, was agreed upon by the leaders, for the purpose of appeasing a large party of the Insurgents; who, while the terms of the cessation were progressing, insisted, that if the swivels were not given up, they would abide by no articles.

† See Appendix, No. I.

Such was fortunately the end of an affair, which might have produced the most distressing consequences. It was not, however, for such an officer as Major Robinson, with such an army as he commanded, to make any thing more of it: for the army was composed of very discordant materials. It was made up of inferior leaders of the old insurgents—of some of their common people from principle—of many more of them, and a number of our own people—who, from the story of the Indians, and from Pearis' affidavit, aided by timidity, in seeing that party so rapidly increase, had joined it. None of those who had signed the treaty of Ninety-Six, when Mr. Drayton brought them to terms, took any open part in this insurrection, except M'Laurin: although, Col. Fletchall was said, to have given private encouragement to the enterprize. Hence, they were without a leader, capable of directing them by influence or authority: and every Captain considered himself as having a right, to take a lead in affairs; and as being nearly on a footing with Major Robinson, the Commanduer in Chief. The whole enterprize was the determination of a very slight union: as this heterogeneous mass only assembled to attack Ninety-Six; under the full expectation, it would immediately submit. But failing in this respect, and their provisions and ammunition fast decreasing, they lost what little confidence they had in their officers; and confusion of course ensued. Nor, was their courage in the cause in which they had engaged, of a better cast; for during the whole time of the firing, they continued almost out of gun shot, except those who were stationed at the brick gaol at Ninety-Six; and who alone annoyed the troops under Williamson's command. And this, and their posting themselves behind logs, fences, and other securities; can only account for the small execution which was

effected upon them from the fort, during a firing of small arms and swivels for three days.

On the other side, Major Williamson's men had suffered great hardships, during the time they had been cooped up, in this temporary fortress: being obliged to lay by their arms during the nights, to be ready against surprize; and their tour of duty, being frequent and heavy; and particularly experiencing the total want of water, from Sunday morning, to Tuesday afternoon. However, during this severe trial not only on courage but constitutional energy, they did not murmur: but while some fought the besiegers, fatigue parties were digging a well: and at length, after penetrating through a very tenacious clay soil forty feet deep, water was obtained, which relieved the necessities of the garrison. In addition to these difficulties, they had nearly exhausted all their powder; for, of 2,000 pounds weight which they had at the commencement of the firing, only 30 pounds weight remained, except what each man had in his powder horn. Of Major Williamson's party, only one man was killed, and twelve wounded: on the other side, several were killed, and about twenty were wounded.* The small quantity of the powder which remained, and which was only known to Major Williamson and one other person; was the principal cause, why the fort was surrendered. For Major Williamson expressly states in his official letter of the 25th of November, that he had in the fort thirty-eight barrels of flour, four live beeves, and very good water from the well which had been dug; and that but for powder, he could have maintained the post for some time longer.

* See Appendix, No. II

On the 30th of November, being the day after the Provincial Congress had adjourned, the new Council of Safety met; and received Major Williamson's dispatches, which gave a full account of the affair of Ninety-Six; and among other papers which accompanied the communication, was a copy of the affidavit by Pearis, which had been the principal cause of the insurrection having been so numerous. The Council, forthwith declared it to be "a groundless and malicious libel, calculated to deceive the people; and to prejudice their minds against the Hon. Mr. Drayton; because, of the active part which he had taken in favour of American liberty;" and Mr. Drayton answered it, by a publication, denying Pearis' charges, and by reasoning showed their absurdity.

About this time also Matthew Floyd, a messenger from Major Robinson of the Insurgents, with dispatches for Lord William Campbell, applied to the Council of Safety in pursuance of the treaty of cessation, for permission to repair on board the British men of war in the roads, to his lordship; declaring he had lost his dispatches, and therefore it was necessary he should give his Excellency accounts of the late transactions at Ninety-Six. He was therefore sent on board on the 5th of December, accompanied by Mr. Merchant, on the part of the Council; who was directed to be present at any interview and conversation, which Floyd might hold with Lord William. When the Council's messenger informed his lordship of the nature of the business on which Floyd had come, Lord William went down into the cabin, and sent for Floyd to attend him there: and notwithstanding Merchant's remonstrances to the contrary, he was not allowed to be present. After this, Innis, his lordship's Secretary took Floyd into the cabin with him, where they remained a short time together; and

finally, Innis informed the Council's messenger, "My lord desires you will return, and inform the persons who sent you, that as Floyd is a messenger from a friend to Government, he must be detained until his lordship has determined on a proper answer."* Upon which, Mr. Merchant returned to the Council, and reported the proceedings which had taken place. An order of Council consequently issued, to arrest Floyd upon his landing from the men of war; and two days after he was privately landed in the night from the Cherokee, and being apprehended in his way to his lodgings, he was carried before the Council: when he confessed that Lord William had directed him to tell those who sent him, "to do every thing they could for the best advantage—that, he did not desire any effusion of blood; but, whatever they should do, would meet with his countenance." Upon this, Floyd was committed to gaol.

When Major Williamson was besieged by the Insurgents at Ninety-Six, Colonel Richardson had commenced his march against them, in pursuance of the orders he had received from the Provincial Congress: and in doing so, he was directing his course towards the middle, or upper part of Col. Fletchall's command, over Broad River. But, so soon as he was apprized of Williamson's investment, he changed his route, and proceeded by forced marches to the Congaree River, over which he crossed his troops; and from his camp in the vicinity, he wrote on the 27th November, giving an account of his situation and prospects. At this time, he had about one thousand men with him; and Col. Thomas was pressing forward with troops from the north eastern part of the Colony. He therein stated, that the Insurgents were much elated with

* See Appendix, No. IV.

their success at Ninety-Six; that his men desired to be led against them; and that they would not be satisfied, unless they were allowed finally to subdue, and effectually to put down, their opposition. Finally, he warned the Congress, that it was a matter of necessity to silence the discontents of the back country; and that although in doing so, the expense would be great, yet in the then crisis of affairs, it ought not to be avoided. On these points, Col. William Thomson also wrote; stating he had heard “several of the officers and men declare, that they would never take up arms again, unless the militia who had been drafted and had not appeared, were made to suffer by fine or otherwise; and they have liberty to subdue the enemies of America: as they observe, that those who are not for America, are undoubtedly against it. Such discourse we have spreading through our camps. We have had great uneasiness amongst them, when the news arrived of the cessation of arms; and we had no other means of appeasing their disturbed minds, but by signifying, that the cessation of arms was not binding on us.”

Col. Richardson remained at his camp at the Congarees, for the purpose of crossing his waggons and baggage over that river; as also, for collecting the various bodies of militia, which were marching towards him. On the 30th November his army had increased to fifteen hundred men; and, a council of war having decided, that that army was not bound by the treaty of cessation at Ninety-Six—preparations were made for crossing Saluda River, into the Dutch Fork. Accordingly, the troops were put in motion—the army pushed forward into the Dutch Fork—and on the 2d December it encamped near M'Laurin's store; fifteen miles from Saluda River. At this camp, several of Fletchall's captains, and active disaffected

persons were brought in, as prisoners; among whom were John Mayfield, Benjamin Wafford, William Hunt, Daniel Stagner, and Jacob Stack: and Colonel Richardson was now joined by Col. Thomas, with 200 men—Col. Neel, 200—Col. Lyles, 150; which together with Col. Thomson's regiment of rangers, and Colonel Richardson's men of his own regiment, amounted in the whole to about 2,500 men: in addition to which, Colonel Polk was in full march from North-Carolina with six hundred men. At this time, the Insurgents were hovering about; but having little confidence in their leaders, not more of them than four hundred men, had assembled in arms; and of these, several daily stole away: while those remaining, constantly retrograded towards the sources of Saluda River, and the Cherokee Nation. On the 4th of December the Council of Safety wrote a letter to Col. Richardson, desiring him to publish a declaration inviting the Insurgents "to lay down their arms," and to promise "the strictest neutrality;" and thereupon, to grant them "terms of mercy, and protection:" but the Colonel without being apprized of this disposition of the Council, had anticipated their wishes; as before he received such letter, he on the 8th day of December issued the following declaration.

" *South-Carolina:*

" Whereas on the third day of November last past, Patrick Cunningham, Henry O'Neal, Hugh Brown, David Reese, Nathaniel Howard, Henry Green, and sundry other persons, did, in Ninety-Six District, raise a dangerous insurrection and commotion; and did, near Mine-Creek, in said district, feloniously take and carry away, a quantity of ammunition, the property of the public—and in contempt, of public authority: and did also, with further aid and

by force of arms, on the 19th, 20th, and 21st days of said month of November, at Ninety-Six in the district aforesaid, attack, besiege, kill, and wound a number of the good people of this Colony; and in manifest violation of peace and good order, and breach of a solemn treaty entered into on the 18th* day of September last; made, and concluded between the Hon. William Henry Drayton, on the one part; and Colonel Thomas Fletchall and others, on the other part; thereby, becoming guilty of the atrocious crimes of robbery, murder, and breach of treaty of peace:

“ To satisfy public justice, in the just punishment of all which crimes and offences, as far as the nature of the same will admit—I am now come into these parts in the name, and behalf, of the Colony; to demand of the inhabitants, the delivering up of the bodies of all the principal offenders herein; together with the said ammunition—and full restitution for the ravages committed—and also, the arms and ammunition of all the aiders and abettors, of those robbers, murtherers, and disturbers of the peace and good order as aforesaid. And in case of neglect, or refusal for the space of five days, I shall be under a necessity of taking such steps, as will be found disagreeable: but which I shall certainly put in execution, for the public good.

“ Given under my hand, this 8th day of December 1775.

“ RICHARD RICHARDSON.”

In consequence of this declaration, numbers came in, and delivered up their arms, receiving protections at the same time; but from this favour, capital offenders who surrendered, were excluded. No leaders,

* This date is incorrect; it ought to have been on the 16th.

were surrendered up by the Insurgents; and on these occasions, Col. Richardson conducted himself with much prudence and humanity; dismissing the people who surrendered themselves, with soft words, and kind admonitions.

The army still advancing and increasing in numbers, struck terror into the Insurgents, and the disaffected; and they constantly retreated, keeping about twenty miles in advance of Col. Richardson's army. They now perceived, they had been deceived by their leaders as to the strength and means of the Provincial Congress, and the Council of Safety; while at the same time, they found no promises or assistance to be relied on, as coming from Lord William Campbell. Weak as a rope of sand, they could neither face the invading army, nor fall upon any measures for maintaining themselves, in the land of their fathers. At one time, they would take heart, and threaten to stand and give battle; but, so soon as the army commenced its march upon them, cowardly councils, and guilty consciences, obliged them to turn, and retreat. In this manner, the operations were principally carried on; a steady pursuit, detachments taking prisoners, and sometimes recovering portions of the ammunition, which Patrick Cunningham had taken; being mostly, the services in which they were engaged.

At this time, (December 12th,) Col. Richardson's army consisted of three thousand men; and they had penetrated as far into the interior, as the Great Survey on Duncan's-Creek. They had now, several prisoners; and as Col. Richardson says in his letter of the 12th December to the Council of Safety, "of the first magnitude;" among these, were Colonel Thomas Fletchall, Captain Richard Pearis, and Captain Stuberger. Colonel Thomas Fletchall was hidden in a

cave on the Fair-Forest-Creek, near its junction with the Tiger River; and was thence unkennelled by the rangers and some volunteer companies, under the command of Col. William Thomson; who had been sent to scour that part of the disaffected district, and to beat up Fletchall's quarters at Fair-Forest, where he resided.* This, was a capture, not very honorable to Fletchall's military talents; or to the person, who was the deposit of Lord William Campbell's correspondence and secrets; and in as little degree was it encouraging to those of his men, who at Ford's musterfield on the Ennoree River, he had seduced from signing the patriotic Congressional Association; while he imposed upon them one, tending to bring them into the afflictions, under which, they were now suffering. By his capture, papers of consequence fell into Colonel Richardson's hands; which he transmitted to the Council of Safety. Captains Plumer and Smith also, with thirty of their men, surrendered themselves with their arms, while the army remained at this station.

Still following the trail of the Insurgents, the army pressed forwards through all the inclemencies of the winter, thinly clothed, and indifferently provided: determined not to stay their steps, until the object of their expedition was completed. At this time, the army consisted of Col. Richardson's regiment, Col. Thomson's, some volunteer light-horse, Col. Thomas' regiment, Col. Neel's; and Col. Polk's, and Lieut. Col. Martin's, from North-Carolina. Arriving at Liberty-Hill,† the army encamped there; to wait far-

* There was also, a large Sycamore-Tree, with a hollow 7 or 8 feet wide, on the north side of Fair-Forest Creek, 2½ miles below Brandon's Mills, in which the Colonel occasionally secreted himself: and while this sheet was in the press, I received a letter from Spartanburg District, saying it was in the Sycamore Fletchall was taken—that it still exists: but, that the Cave has been destroyed.—*The Author.*

† Liberty-Hill, is situated on the line between Newberry and Laurens districts; about four or five miles, from the Ennoree River, to the southward of Duncan's-Creek.

ther movements. At this place, Colonel Richardson collected his principal prisoners; among whom were Col. Thomas Fletchall, Captain Richard Pearis, Captain Jacob Fry, Captain George Subergh, *John M'Williams*,* Philip Wells, James Davis, Captain M'David, *alias M'Dade*, and Joseph Alexander; they being all considered by the officers and people of that part of the country, as offenders, whose active conduct against the patriotic cause, and the Association of Congress, did not justify their being longer at large. They were now with other prisoners placed under the care of Captain Richard Richardson, jun. Col. Richardson's son; who, with a suitable guard, departed with them from the camp at Liberty-Hill, with orders to escort them down to Charlestown.

After Col. Richardson had divested himself and the army of the care of these prisoners, he proceeded upwards pressing the panic stricken Insurgents; arriving at Hollingsworth's Mill on Raborn's-Creek,† where he was obliged to halt; as the army had now arrived at the end of the road, in that north-western part of the Colony, and were near the boundary of the Cherokee lands. On December 22d, Colonel Richardson wrote an account of his proceedings since he left Liberty-Hill, to the Council of Safety. In this letter, he informed that body, that on the 16th instant he had been joined by Colonels Rutherford and Graham of North-Carolina, with about five hundred men; who to their honour had stepped forth unsolicited, to aid this Colony in the cause of liberty. That, on the 20th instant, he had been also joined by Major Andrew Williamson, Captain Hammond, and a small party of

* This was the person, who constructed the mantelets, which were endeavoured to be used, against the stockade fort, at Ninety-Six.

† Raborn's-Creek, is a branch of Reedy River; and Hollingsworth's Mill was situated on it, about six miles above its confluence with Reedy River.

Colonel Stephen Bull's regiment; amounting to about eight hundred men—so, that the Colonel says in his letter, his army is now formidable—being between *four* and *five thousand* strong. In this letter he informs the Council, so large an army has had a good effect, on the interested feelings of these unhappy and misled people; as it proves to them what the government can do, in putting down opposition. That consequently, they are much terrified, and come in, with fear and trembling—giving up their arms, with contrition for their late conduct. He farther says, the spirit of discord has much abated; and most of their Captains had come in, and a good portion of their companies: but that a camp of many of the principal aggressors, on the Cherokee land above him, still remained to be broken up.

This camp, was about four miles beyond the Cherokee boundary line, at a place called the *Great Cane Brake* on Reedy River, about twenty-five miles from Hollingsworth's Mill: and the Insurgents had in vain endeavoured to induce the Cherokee Indians to come down, and join them; but the Indians said they were satisfied. For the purpose of breaking up this nest of sedition, and of turbulent spirits; Colonel Richardson detached from his army at Hollingsworth's Mill, on the afternoon of the 21st of December, about thirteen hundred cavalry and infantry, under the command of Colonel William Thomson. All of them, were volunteers; and among them were, Colonels Martin, Rutherford, Neel, Polk, and Lyles; and Major Williamson, and other officers of distinction. In the night of the 21st, after a tedious march of near twenty-three miles, Col. Thomson arrived with his volunteers, within view of their fires, at about the distance of two miles; when, a small halt took place: after which, towards daylight of the 22d December, they moved forwards to attack the camp. They had nearly surrounded it,

when they were discovered; and a flight immediately took place through that side, which had not yet been surrounded. Patrick Cunningham escaped on a horse barebacked, telling every one "*to shift for himself.*" The troops were so enraged against this party of Insurgents, or King's men, as they called themselves; that great slaughter would have ensued, had not Col. Thomson's humanity prevented the same: five or six of them, however, were killed, and the pursuit was urged with great fervour. Of about two hundred men, of which the camp consisted, one hundred and thirty were taken prisoners; and all their baggage, arms, and ammunition, remained in the possession of the victors. Of Col. Thomson's troops, none were killed; and only one person was wounded; this was the son of Col. Polk, and a youth of promise; who was shot through the shoulder. On the 23d December, Col. Thompson with his detachment and prisoners, returned to Colonel Richardson's camp; when it commenced snowing: which continued without intermission for thirty hours, covering the ground generally two feet deep. The army being without tents, and their shoes and clothes much worn, they were badly prepared to support so inclement a season; for which reason, and as the object of the expedition was completed, Col. Richardson, took into consideration, the propriety of keeping the troops longer in the field. The insurrection, was now crushed; and no object being in view, he proceeded to dismiss the troops then under his command.

For this purpose on Christmas-day, Col. Richardson returned thanks to the officers and men. After which he dismissed the North-Carolina troops, under Colonels Rutherford, Graham, Martin, and Polk—also, Colonels Neel's and Thomas', and Major Williamson's troops: giving them proper instructions for pursuing such measures during their march, as were most likely

to confirm the principles of the well disposed; and to awe, and work upon the fears of the disaffected. At the same time, he delivered to Major Williamson's care, six kegs of gun-powder, which had been recovered from the Insurgents;* and which he was directed to send to Mr. Wilkinson, one of the Indian agents at the Cherokee Nation, as part of the present which the Council of Safety had sent to them; but which, had been seized by Patrick Cunningham and his party.

After this, the camp at Hollingsworth's Mill was broken up; and Col. Richardson with the remainder of the army, marched downwards; for the purpose, of dismissing his men, and laying down his command. In performing this march, the troops suffered extremely, from being thinly clothed, their shoes nearly worn out, and they having no tents; as by reason of the snow, for seven days they never set foot upon the earth: and when they halted, they had to clear away the snow as well as they could, before they could dress their victuals, make fires for warming themselves, or have places to repose after so toilsome a march. On the eighth day of their march, a heavy cold rain fell, accompanied with sleet; which filled their clothes with moisture; and by which, a general thaw was induced, deluging every creek and water course with water. Through all these difficulties, the troops continued their march, happily arriving at their old camp on the Congarees, on the first of January 1776. At this place, after having taken measures for arranging the

* The following is stated by Colonel Richardson, in his letters of the 22d December 1775, and 2d January 1776, to the Council of Safety, as being the amount of the ammunition which was retaken from the Insurgents, viz.

At different times, small parts of the ammunition, when the Insurgents delivered up their arms.

Two barrels of powder.

Seven kegs of powder.

accounts and expenditures of the expedition, Colonel Richardson dismissed the troops to their several places of discharge.*

Several hundred stands of arms, were delivered up to Colonel Richardson; some of which, were deposited at Fort Charlotte, some at the Congarees, and some at Camden. The prisoners which Richardson brought down with him, consisting of about ten Captains and one hundred and twenty-six men, were sent from the Congarees by water, under the command of Captain Sumter with a suitable guard, to Nelson's Ferry; from whence they were escorted to Charlestowm by Col. Thomson, with a detachment of rangers. Of these prisoners, thirteen were old offenders; having been with Cunningham, when he seized the ammunition on its progress to the Cherokee Indians, with Robinson, when he besieged Williamson at Ninety-Six, and at the Cane Brake, when the camp was there surprized: fifty-five, had been at the seige of Ninety-Six, and at the Cane Brake; and seventy-two, were of the party who besieged Williamson at Ninety-Six. By Col. Richardson's letter of the 2d January 1776, to the Council of Safety, on this occasion, Col. Thomson was introduced to the notice of the Council, by warm and honorable recommendations; for his excellent conduct and support, during the expedition. On considering the cases of these prisoners, the Council restored all of them to liberty, except a few, who had been most influential and active, in promoting the late disturbances. And so complete, had been Colonel Richardson's success in arresting the leaders of the Insurgents; that, except

* See Appendix, No. V. Also Ramsay's South-Carolina, 2d vol. page 168; where he states, that when the Cherokee Indians were at war with Carolina, in 1760, the enormous sum of £585,303, Carolina currency, was raised in Carolina by taxes.

Major Robinson, Captains Patrick Cunningham and M'Laurin, and two or three Captains, who fled at an early period, no considerable leader, or active person, escaped apprehension. During the whole time Col. Richardson's command was embodied, the officers and men behaved in a manner, much promoting the service in which they were engaged: and their campaign has been since designated as the *Snow Campaign*, in commemoration of the troubles which it inflicted; and the fortitude, with which they were borne, by all ranks of the army.

On this expedition, Captain Thomas Sumter of the regiment of rangers, was constituted by Col. Richardson, Adjutant-General; and Major Joseph Kershaw was appointed Major of Brigades, Commissary-General, and Treasurer. All of which appointments, were conducted and filled by the two above named officers, in a manner, highly honorable to themselves; and advantageously, for the public service.

There is much reason for applauding the judicious and moderate conduct of Colonel Richardson, during this expedition; as he endeavoured on all occasions to effect the object of his mission, more by mildness, than by force or terror. And accordingly, his conduct met with the full approbation, of the Council of Safety, and the Provincial Congress. But, although he had been thus humane, he nevertheless deemed it prudent to hold some check over their future conduct; for which purpose, he caused many of the Insurgents to sign an instrument of writing; by which, they imposed upon themselves the penalties of forfeiting their estates real and personal, 'should they ever take up arms again against, or disturb the peace and tranquillity of, the Colony.'

In this manner, ended the Snow Campaign, against the Insurgents between Broad and Saluda Rivers. And, in his concluding letter to the Council of Safety, dated "Congarees, 2d January 1776," Col. Richardson says, "I have been obliged to end this campaign, before I received orders; as the last Express (Newton) is not yet returned: and, am happy when I can say, and think, it has answered every desire, wish, or expectation. The people, are now more convinced than ever, of their being wrong—the lenitive measures, have had a good effect—the spirit and power, is gone from them. And, I am sure, (if not interrupted by designing men) that country, which I had it in my power to lay waste, (and which, the people expected) will be happy: and peace and tranquillity take place of ruin, and discord. On the rivers, had I burnt, plundered, and destroyed; ten thousand women and children, must have been left to perish; a thought, shocking to humanity."

After these things had been done, a system of disarming such Insurgents as were discovered, still prevailed in the upper parts of Ninety-Six District, towards Savannah River. But in February 1776, the Provincial Congress took the subject into consideration, respecting some prisoners at Fort Charlotte; and ordered, that the disarming of the Insurgents should be suspended.* They also, "as well for the convenience of electors of members of Congress, as on account of the happy influence, which it may have upon the peace and union of the inhabitants," divided the district heretofore spoken of, as under Col. Fletchall's command, and lying between Broad and Saluda Rivers, into three election districts, or regimental divisions; the lower part of the Dutch Fork comprehend-

* See Appendix, No. VI.

ing one—the country above and below Little River, another—and the upper or Spartan District, to be the third.* On the 13th of March 1776, they also resolved, “That a declaration of amnesty and pardon be published to the late Insurgents, with certain exceptions;” and the President of the Congress was required to prepare a suitable declaration on that subject: they were also allowed to trade as usual, except for arms and ammunition—and where any of them sincerely desired to join the American cause, they were allowed to do so; on taking an oath, at all times to aid and support the authority of Congress, and every authority derived from them: and also, to pay obedience to the Continental and Provincial Councils, according to the true meaning and spirit of the Association, entered into by the Congress of this Colony on the 4th of June last. All commissions of officers, who had been in arms against the authority of the Provincial Congress, or had been convicted of refusing to act in support of their authority; were also now declared null and void.

After this, the accounts and expenditures of Colonel Richardson’s expedition were audited and arranged;† and on the 24th day of March 1776, the Provincial Congress resolved, that their thanks be presented through their President by letter, “to Colonel Richard Richardson, for the very important and signal services he has rendered to this country, and to the common cause, by putting a stop to the late dangerous and alarming insurrection, which the enemies of America had excited in the interior parts of the Colony; desir-

* See Appendix, No. VII.

† This expedition, cost the Colony, £192,948 17 5.—See South Carolina Treasury Ledger, large folio, in the Treasury office, Charleston, commencing December 31st, 1775, page 63.

ing the Colonel, to signify the thanks of this Congress also, to the officers and men, who were under his command upon that expedition.”

Proceedings of the Continental Congress in 1775. May. The following is a brief summary of the proceedings of the Continental Congress during the year 1775. “On the 10th of May 1775, the Delegates from the twelve associated Colonies, those of Rhode-Island excepted, assembled at the State-House in Philadelphia; when Peyton Randolph was, a second time, unanimously elected President, and Charles Thomson unanimously chosen Secretary. On the 13th of May, Lyman Hall was admitted to a seat in Congress, as a Delegate from the Parish of St. John’s, in the Colony of Georgia; but not considering himself as the representative of that Colony, he declined voting, except on occasions when the Congress did not vote by Colonies. On the 15th of May, Lemuel Ward, a Delegate from Rhode-Island, appeared and took his seat. On the 16th of May, Congress resolved itself into a Committee of the Whole, on the state of America. On the 17th of May, it was unanimously resolved, that all exportations to Quebec, Nova Scotia, the Island of St. John’s, Newfoundland, Georgia, except the Parish of St. John’s, and to East and West Florida, immediately cease; and that no provision of any kind, or other necessaries, be furnished to the British fisheries on the American coasts until it be otherwise determined by the Congress. On the 24th of May, Peyton Randolph, then President of Congress, being under a necessity of returning home, the Chair became vacant, and John Hancock was unanimously elected President. On the 26th of May, Congress resolved, that the Colonies be immediately put in a state of defence; that a fresh petition to the King, with a view to reconcile differences, be prepared; and that a letter to the people of

Canada be reported. This letter was approved the day following, and ordered to be signed by the President. It solicits the friendship of the Canadians, calls upon them to assert their rights, and exhorts them against hostilities. On the 29th of May, a Committee was appointed to consider the best means of establishing posts for conveying letters and intelligence through the continent.

“On the 2d of June, Congress resolved, *June.* that no bill of exchange, draught, or order, of any officers in the British army or navy, their agents, or contractors, be received or negotiated, or any money supplied to them by any person in America: that no provisions or necessaries of any kind, be furnished or supplied, to or for the use of the British army or navy, in the Colony of Massachusetts-Bay: and that no vessel employed in transporting British troops to America, or from one part of North-America to another, or warlike stores, or provisions for said troops, be freighted or furnished with provisions or other necessities, until farther orders from the Congress. On the 3d of June, Committees were appointed to draw a petition to the King, and to prepare addresses to the inhabitants of Great Britain, to the people of Ireland, to bring in the draught of a letter to the inhabitants of Jamaica, and to bring in an estimate of the money necessary, to be raised by the Colonies. On the 7th of June, it was resolved, that the 20th day of July following, should be observed ^{A day of humiliation, fasting, and prayer.} throughout the twelve United Colonies, as a day of humiliation, fasting, and prayer.

On the 9th of June, in consequence of a letter from the Convention of Massachusetts-Bay, which had been previously under consideration, Congress resolved, that the Governor and Lieutenant-Governor of that Colony were to be considered as absent, and their

offices vacant: and it was recommended to the Provincial Convention to write letters to the inhabitants of the several places which were entitled to representation in Assembly, requesting them to choose such representatives, and that the Assembly when chosen, should elect Counsellors, and that such Assembly or Council, should exercise the powers of government, until a Governor of his Majesty's appointment would consent to govern the Colony according to its charter. On the 10th of June, several resolutions were passed for the collection of salt-petre and sulphur, and the manufacture of gun-powder. On the 14th of June, Congress resolved to raise several companies of riflemen, by enlistment, for one year, to serve in the American continental army, established the pay of the officers and privates, and appointed a Committee to prepare rules and regulations for the government of the army. On the 15th of June, it was resolved, that a General should be appointed to command all the continental forces, raised or to be raised, for the defence of American liberty; and proceeding to the choice of a

George Washington is elected General. General by ballot, George Washington was unanimously elected. On the preceding day it was resolved to appoint Major Generals, Brigadier Generals, and other officers necessary for the organization of a regular army.

“ These warlike measures, were the result of continued deliberations on the state of America, and the consequence of the military proceedings of the British at Lexington, in the Province of Massachusetts-Bay, on the 19th of April preceding; of the burning of Charlestown near Boston; and of the various indications on the part of Great Britain of an intention to compel the Colonies to submit by force of arms. Several military steps, had been previously taken by

the Colonists; among which were, the occupation of the posts of Crown-Point and Ticonderoga.

"A commission for George Washington was made out and signed by the President of Congress on the 19th of June, in the following words: 'In ^{His Commiss.} Congress. The Delegates of the United Colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, New-Castle, Kent, and Sussex, on Delaware, Maryland, Virginia, North-Carolina, and South-Carolina, to George Washington, Esquire; We reposing especial trust and confidence, in your patriotism, conduct, and fidelity, do, by these presents, constitute and appoint you to be General and Commander in Chief of the army of the United Colonies, and of all the forces raised or to be raised by them, and of all others who shall voluntarily offer their service and join the said army, for the defence of American liberty, and for repelling every hostile invasion thereof: and you are hereby vested with full power and authority to act as you shall think proper for the good and welfare of the service. And we do hereby strictly charge and require all officers and soldiers under your command, to be obedient to your orders, and diligent in the exercise of their several duties. And we do also enjoin and require you, to be careful in executing the great trust reposed in you, by causing strict discipline and order to be observed in the army; and that the soldiers are duly exercised, and provided with all convenient necessaries. And you are to regulate your conduct in every respect, by the rules and discipline of war, (as herewith given you,) and punctually to observe and follow such orders and directions from time to time, as you shall receive from this or a future Congress of the said United Colonies, or a Committee of Congress, for that purpose appointed. This commis-

sion to continue in force, until revoked by this, or a future Congress. By order of the Congress, JOHN HANCOCK, President. Dated, Philadelphia, June 19th, 1775. *Attested*, CHARLES THOMSON, Secretary.² The original of this commission has been preserved in the Department of State, at Washington City. Congress at the same time resolved, that they would maintain, assist, and adhere to George Washington, with their lives and fortunes, in the same cause.

" On the 22d day of June, it was resolved to emit a sum not exceeding two millions of Spanish milled dollars, in bills of credit, for the redemption of which the twelve confederated Colonies were pledged. On the 24th of June, a resolution was entered into for devising ways and means to place the militia of America in a proper state of defence. On the 30th of June, Congress adopted rules and regulations for the government of the army. On the same day, the Committee for Indian affairs was directed to prepare talks to the several tribes, for engaging the continuance of their friendship and neutrality.

July. " On the 6th of July, a Committee previously appointed for that purpose, brought in a Declaration by the Representatives of the United Colonies of North America, setting forth the causes and necessity of their taking up arms, which was to be published by General Washington, on his arrival at the camp before Boston. On the 8th of July, a petition to the King was signed by the members of Congress present; stating the merits of their claims, and soliciting the Royal interposition for an accommodation of differences on just principles. An Address to the inhabitants of Great Britain was at this time framed; justifying the measures which had been taken by the Colonists, and invoking the sympathy and forbearance

of their British brethren. A letter was also prepared and signed by the President, to the Lord Mayor, Aldermen, and livery, of London, thanking them for the friendly disposition they had shown to the rights of America. On the 20th of July, Congress was informed by a letter from the Convention of Georgia, that that Colony had acceded to the General Association: and, had appointed Delegates to attend the Congress. On

Georgia acceded to the General Association.

the 25th of July, an Address to the Assembly of Jamaica was agreed to; generally stating the grievances of the Colonies, and thanking the Assembly, for its good intentions. An additional sum, to the value of one million of Spanish milled dollars, was on the same day, ordered to be struck in bills. On the 26th of July, Congress authorized the appointment of a Post-Master-General for the United Colonies, to hold his office at Philadelphia, with power to appoint as many deputies, as he might deem proper and necessary: and, under his direction, a line of posts was ordered from Falmouth in New-England, to Savannah in Georgia; with as many cross-posts as the Postmaster-General should think fit. Benjamin Franklin was, by a unanimous vote, appointed to the office. On the 28th of July, an Address to the people of Ireland was adopted, setting forth the motives and object of the Colonists. On the 31st of July, Congress agreed to a report, which declared a resolution of the British House of Commons of February 20th, 1775,* commonly called Lord North's motion, inadmissible as the basis of reconciliation. The resolution referred to, proposed to transfer the right of taxing the Colonies,

A general Post-Office is established; and a Postmaster General is appointed.

* See this Resolution, among the intercepted papers in the Appendix of Chapter VIII. No. III. Also, Lord Dartmouth's letters of the 3d of March 1775, to the Lieutenant-Governor of South-Carolina, and the Governor of Georgia respecting it.

under certain restrictions, to the Colonial Assemblies. The terms it offered were rejected, among other reasons, because, in the opinion of the Congress, the proposition imported only a suspension of the mode, and not a renunciation of the pretended right to tax the Colonies. At the same time, it was made the duty of a Committee, in the recess of Congress, to inquire into the cheapest and easiest methods of making salt in the country; and to make inquiry after virgin lead, and leaden ore, &c.

August. “On the first of August, Congress adjourned to the 5th of September 1775, having first passed a resolution, declaring the non-exportation and non-importation Association, to comprise the Islands of Jersey, Guernsey, Sark, Alderney, and Man, and every European Island and settlement within the British dominions; as well as all the West-India Islands, British and foreign, to whatever state, power, or prince, belonging—or, by whomsoever governed; and also, Somers’ Islands, Bahama Islands, Berbicia, and Surinam, on the main—and every island and settlement within the latitude of the southern line of Georgia and the Equator.

September. “On the 5th of September 1775, agreeably to adjournment, Congress again convened, but did not form a quorum to do business until the 13th; when Delegates from Georgia appeared, produced their credentials, and took their seats. On the 25th of September, Congress appointed a Committee of Accounts or Claims, consisting of one member from each of the United Colonies; to whom, all accounts against the continent were to be referred: and who were to examine and report the same for payment.

The Georgia
Delegates take
their seats in
Congress.

“On the 6th of October, a resolution was passed, recommending to the several Provincial Assemblies or Conventions, and Councils or Committees of Safety, to arrest and secure every person in their respective Colonies, whose going at large might, in their opinion endanger the safety of the Colony, or the liberties of America. On the 13th of October, Congress ordered two armed vessels to be fitted out. On the 26th of October, Congress having had under consideration the state of the trade of the United Colonies, resolved, that it should be recommended to the several Provincial Assemblies, Conventions, or Councils of Safety, to export to the foreign West Indies, on account and risk of their respective Colonies, as much provisions or other produce, except horned cattle, sheep, hogs, and poultry, as they might deem necessary for the importation of arms, ammunition, sulphur, and salt-petre. On the 30th of October, two more armed vessels, were directed to be fitted for sea.

“On the 1st of November, the exportation of rice, was prohibited to Great Britain, Ireland, or the Islands of Jersey, Guernsey, Sark, Alderney, or Man, or any other European island or settlement within the British dominions. On the 3d of November, Congress resolved that it should be recommended to the Provincial Convention of New-Hampshire, which had applied for advice, to call a full and free representation of the people; and to establish such a form of government as would best promote the happiness of the people, &c. during the continuance of the dispute between Great Britain and the Colonies. A similar resolution, was entered into, in relation to South-Carolina. On the 8th of November, a draught of instructions was agreed

Congress recommends to New-Hampshire, & South-Carolina, to form Governments of their own.

to for R. R. Livingston, Robert Treat Paine, and John Langdon, who were appointed to proceed to Ticonderoga, to consult with General Schuyler on the necessary operations in that quarter; and to exert their utmost endeavours to induce the Canadians to accede to a union with the Colonies—to form, from their several parishes a Provincial Convention—and to send delegates to Congress. At this time likewise, all letters to and from the delegates of the United Colonies, during the sessions of Congress, were authorized to pass and be carried free of postage; the members having engaged upon honour not to frank or endorse any letters but their own. On the 10th of November, a similar privilege, without exception, was extended to all letters to and from the Commander in Chief of the continental army, or the Chief Commander in the army in the northern military department. On the same day, it was resolved to raise two battalions of marines. On the 11th of November, a resolution was entered into, authorizing the repair of the fortifications, &c. of Quebec; in case, it should be taken from the British. On the 16th of November, it was resolved, that no member of Congress should absent himself from that body, without leave; and a rule was adopted, that every member should remain in his seat, whilst any paper was reading, or question was putting. On the 23d of November, Congress authorized the consideration of a plan, for carrying on a trade with the Indians. On the 25th of November, resolutions were passed, directing seizures, and the capture, under commissions obtained from the Congress; together with the condemnation of British vessels employed in a hostile manner against the Colonies; the mode of trial and of condemnation was pointed out, and the shares of the prizes were apportioned.

Condemnation
of British ves-
sels; & shares
of prizes ap-
portioned.

On the 28th of November, Congress adopted rules, for

the regulation of the navy of the United Colonies. On the 29th of November, Congress was informed of General Montgomery's having, with the continental troops, taken possession of Montreal on the 12th of that month. The same day, an emission of bills of credit was resolved on, to the amount of three millions of dollars.

Montreal taken
by Gen. Mont-
gomery.

“On the 2d of December, an exchange *December.* of prisoners was declared to be proper.

On the 4th of December, it was recommended to the Convention of Virginia, if found necessary, to establish a liberal form of government in that Colony; during the continuance of the dispute, between Great Britain and the Colonies: having first called a full and free representation of the people to determine upon it. This recommendation was occasioned, by Lord Dunmore's proclamation, declaring his intention to execute martial law in that province. On the 6th of December, Congress expressed a determination to retaliate for any undue severities exercised towards persons favouring, aiding, or abetting the cause of American liberty. This, was produced by a proclamation of rebellion, issued from the court of St. James' on the 23d day of August 1775.

Congress re-
commends to
Virginia, to
form a govern-
ment of her
own.

On the 13th of December, a report was sanctioned for fitting out a naval armament; to consist of thirteen ships in the whole, five of which, to be of thirty-two guns. On the 22d of December, officers were appointed to command the armed vessels, other legislative provisions respecting pay, &c. having been previously made.”*

Congress au-
thorizes a naval
armament; five
of the vessels to
carry 32 guns.

* See Laws of United States, *new edition*, vol. I. from page 2, to page 5.

A P P E N D I X

TO

CHAPTER XII.

No. I.

AGREEMENT for a cessation of arms, between Major Joseph Robinson, Commander of a body of his Majesty's Militia, now under arms, for himself and the troops under his command of the one part; and Major Andrew Williamson and Major James Mayson, Commanders of the Fort at Ninety-Six, for themselves and the troops therein, under the direction of the Provincial Congress.

1st. That hostilities shall immediately cease on both sides.

2d. That Major Williamson and Major Mayson, shall march their men out of the fort; and deliver up their swivels.

3d. That the Fort shall be destroyed flat, without damaging the house therein; under the inspection of Captain Patrick Cunningham and John Bowie, Esquire: and, the well filled up.

4th. That the differences between the people of this district, and others disagreeing about the present public measures, shall be submitted to his Excellency our Governor, and the Council of Safety; and for that purpose, that each party shall send dispatches to their Superiors—that the dispatches shall be sent unsealed—and the messengers of each party shall pass unmolested.

5th. That Major Robinson shall withdraw his men over Saluda River, and there keep them embodied or disperse them, as he pleaseth: until his Excellency's orders be known.

6th. That no person of either party, shall, in the mean time be molested by the other party; either in going home, or otherwise.

7th. Should any reinforcements arrive for Major Williamson or Major Mayson, they also, shall be bound by this cessation.

8th. That twenty days be allowed for the return of the messengers.

9th. That all prisoners taken by either party, since the second day of this instant, shall be immediately set at liberty.

In witness whereof, the parties to these articles have set their hands and seals, at Ninety-Six, this twenty-second day of November, one thousand seven hundred and seventy-five; and in the sixteenth year, of his Majesty's reign.

JOSEPH ROBINSON, (L. S.)

A. WMSON, (L. S.)

JAS. MAYSON, (L. S.)

Present.

PA. CUNNINGHAM,

RICHD. PEARIS,

ANDW. PICKENS,

JOHN BOWIE.

No. II.

A RETURN of the Militia and Volunteers on duty in the fortified Camp, at Ninety-Six on Sunday the 19th November 1775, under the command of Major Andrew Williamson. By order of the hon. the Provincial Congress.

Number of Companies.	Commanding Officers' Names of the several Companies.	Number of Officers.	Number of Sergeants.	Number of Privates.	Total.	Total of all ranks in the Camp.
1	George Reed,	1	2	22	25	
2	Andrew Pickens,	2	3	35	40	
3	Aaron Smith,	3	2	12	17	
4	Benjamin Tutt,	3	2	29	34	
5	Andrew Hamilton,	3	2	18	23	
6	Thomas Langdon,	2	1	9	12	
7	Adam Crane Jones,	3	2	22	26	
8	Matthers Beraud,	3	0	10	13	
9	Charles Williams,	3	1	8	11	
10	Francis Logan,	2	1	15	18	
11	Alexander Noble,	2	0	2	4	
12	John Anderson,	2	1	8	11	
13	James Williams,	2	2	24	28	
14	Robert M'Creary,	3	2	25	30	
15	John Rodgers,	3	2	15	20	
16	Jacob Colson,*	2	1	15	18	
17	Hugh Middleton,	1	0	2	3	
18	Francis Sinquefield,	2	0	15	17	
19	James M'Call,	3	3	48	54	
20	David Hunter,	2	2	15	19	
21	John Erwin,	3	2	21	26	
22	Robert Anderson,	2	1	15	18	
23	Nathaniel Abney,	3	2	18	23	
24	William Wilson,	2	1	13	16	
25	Joseph Hamilton's Artillery,	1	0	16	17	
		55	36	432	523	
	Major Williamson,	.	.	.	1	
	Major Mayson,	.	.	.	1	
	" " Rangers,	.	.	.	37	
					Grand Total,	562

* Captain Colson's Company were Volunteers, from Georgia.

No. III.

To the honorable the President and Members of the Council of Safety.

Charlestown, 7th December 1775.

GENTLEMEN,

It is with the greatest reluctance that I presume to trouble you with a matter, which principally relates to myself. But, as its example and tendency might perhaps hereafter be of some prejudice to the cause, in which we are all engaged, if no notice was taken of it; I find myself under a necessity, of not being entirely silent on the subject.

The few forces which were lately assembled at Ninety-Six, were drawn together by me, as well as by Major Williamson; and, though I was Lieutenant-Colonel of the same regiment of militia in which Major Williamson held his commission, and also a Major in your Regular Troops, to my surprize Major Williamson disputed the command with me—but, rather than hurt the cause, I yielded some points to him; which, I am sensible as your soldier, I shall not be justifiable in, without the greatest indulgence from you. I however think it proper to mention, that although on account of the public good I suffered his name to be inserted in the Truce before mine, yet the means of our defence was planned by me; and the whole negotiation with the disaffected party, was addressed to me.

I thought the conduct of Major Williamson in this affair the more extraordinary, as he was a member of the very Congress, which settled these points of command; and which points, I find have been confirmed by the present Congress, as well as by the Continental Congress. But, lest hereafter the same disputes may arise, I humbly submit it to this honorable board, whether Major

Williamson should not be informed, that when we act together, and hold our present commissions, I am to have the command.

The thanks of my country, it will be my highest ambition to deserve; and, as I understand that Major Williamson is to return the thanks of Congress to the officers who were present at Ninety-Six; I shall with joy receive them, though delivered to me by an inferior officer.

I cannot conclude without assuring you, that both Major Williamson and myself concealed our difference from all, except one or two of the officers.

I have the honour to be,

Gentlemen,

With the greatest respect,

Your most humble servant,

JAS. MAYSON.

To this letter, the Council delivered Major Mayson an answer on the 9th December; which explained the reasons of their placing the command in Major Williamson; and, satisfied the feelings of Major Mayson.

The resolutions of the Provincial Congress respecting precedence, between the regular troops and the militia; took place on November 21st, 1775, while Major Mayson was besieged in the fort at Ninety-Six. See printed Extracts from the Provincial Congress, for November 1775, pages 119, 120.

No. IV.

To all whom it may concern.

I do hereby certify, that at the desire of his Excellency Lord William Campbell, I detained the bearer hereof, Mr. Floyd, two nights, on board his Majesty's ship Cherokee, under my command; as the circumstance of his coming on board with the mes-

senger of the Council of Safety, made it highly suspicious, that he did not come with any message from his Majesty's faithful and loyal subjects, in the back part of this Province.

JNO FERGUSSON.

*Dated on board his Majesty's armed ship
Cherokee, in Rebellion Road, South-Ca-
rolina, 7th Dec. 1775.*

—

No. V.

IN CONGRESS.

Wednesday, November 8th, 1775.

Resolved, That the pay of the militia privates, to serve under Col. Richard Richardson, be augmented to ten shillings per day, during the time they shall be in actual service.

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No. VI.

BY AUTHORITY OF CONGRESS.

Charlestown, February 6th, 1776.

SIR,

I transmit to you the determinations of Congress this day, relative to the prisoners at Fort Charlotte; which I make no doubt you will, without delay, endeavour to execute.

The Congress mean to take the most effectual measures to settle the state of the interior country, and to prevent, if it be possible,

any future commotions there. For this purpose, a Committee is appointed, to form a plan of proper measures; and, in the mean time, you are ordered to suspend the disarming the Insurgents, until further order shall be made therein.

I have the honour to be, Sir,

Your most humble servant,

WILLIAM HENRY DRAYTON, *President.*

To Major Andrew Williamson.



No. VII.

IN CONGRESS.

Friday, February 9th, 1776.

Resolved, That the district heretofore described between Broad and Saluda Rivers, be now divided into three; as well, for the convenience of electors of Congress, as on account of the happy influence which it may have, upon the peace and union of the inhabitants.

That the *Lower District*, commonly called the Dutch Fork, shall have the following boundaries, viz. from the fork where Broad and Saluda Rivers meet, up Broad River to where Tyger River falls into Broad River; thence up Tyger River, to the ford crossed by the old Saluda road; thence, along the said road to where it crosses Saluda, at the place usually called Saluda Old Town; thence down to the confluence of Saluda and Broad Rivers: and, that the election of members of Congress for the said district, be held at the Meeting-House, nearest to the house of Adam Somers.

That the *Little River District* be bounded as follows: By Saluda River, from Saluda Old Town, to where the said river crosses the Indian line; by the said Indian line, to where it is crossed by Enoree River; thence down Enoree to the road above described, which bounds the Lower District; the election to be held, at Hammond's Old Store.

That the *Upper, or Spartan District*, be bounded by Tyger River, from its confluence with Broad River, up to where the said Tyger River is crossed by the old Saluda road; thence by the said road to where it crosses Enoree; thence by the said Enoree River, to the Indian line; thence by the Indian line to the Colony line; thence by the Colony line, to where it intersects Broad River; thence by Broad River to its confluence with Tyger: the place of election to be at the Meeting-House, near the house of Joseph Kelsey. And that the said districts, as now divided, be allowed, and do respectively elect four members of Congress, as their representatives.

Saturday, March 23d, 1776.

Resolved, That the fork between Saluda and Broad Rivers, be divided into three regiments, according to the division of districts by the resolve of Congress of the 9th February last; one regiment in each of the said districts.

CHAPTER XIII.

The Scorpion ship of war arrives in Charlestown harbour, with Gov. Martin of North-Carolina—Captain Tollemache of the Scorpion, proposes to attack Fort Johnson and Charlestown; but it is not agreed to by his commanding officers—Captain Tollemache seizes two sloops from the West Indies, and takes specie from on board one of them, which belonged to Messrs. Legaree in Charlestown—The Messrs. Legaree seize Gov. Campbell's chariot and horses, as an indemnification—The Council of Safety, cause the same to be returned to Lady Campbell; who refuses receiving them—Fenwicke Bull proceeds to the men of war—Reports the conversation which had taken place, between himself, Gov. Campbell, and Captain Tollemache—The Council of Safety permit the Legarees, to sell the chariot and horses, to reimburse themselves—Gov. Campbell endeavours to remove his effects—A guard is stationed at the house to prevent it—Lady Campbell, withdraws from Charlestown—Upon which, the Governor's effects, are sold by order of the Provincial Congress—The General Committee ceases to assemble—The Prosper ship of war, is put in commission, commanded by William Henry Drayton—Mr. Drayton and Dr. Olyphant appointed to inquire respecting the erection of a battery on Haddrell's Point—which fires on the British shipping, causing them to fall back, opposite Sullivan's Island—The men of war leave Charlestown harbour, and go to sea

—A fascine battery ordered to be erected at Sullivan's Island—British vessels of war, appear off the bar—They send a boat in to reconnoitre; which is fired upon from Fort Johnson—The situation of Charlestowm at this time—The Council acts with decision—Militia ordered to town—Orders issued to the commandant at Sullivar's Island, to oppose the entrance and passage, of British ships of war—The Provincial Congress meets—Receives from the Continental Congress, copies of intercepted letters—The Provincial Congress returns thanks to Henry Middleton and John Rutledge, two of the Colony Delegates, who had returned from Philadelphia—A committee appointed to consider a resolution of the Continental Congress, on the subject of forming a constitutional Government, for the colony; during the continuance of the present dispute, between Great Britain and the colonies—The Provincial Congress, turns its attention, to the discipline of the army; and orders Colonel Christopher Gadsden, to return from Philadelphia—He arrives—Thanks returned to him, as a Delegate to Congress—Colonel Gadsden presents a Standard to the Congress; which is placed in their chamber—The committee on a form of Government report—A committee is appointed to draught a form of Government—Col. Gadsden assumes the command of the troops, as senior officer—1050 militiamen, ordered to be drafted, and marched to Charlestowm—Two rifle regiments are ordered to be raised; and their field officers are appointed—An artillery company authorized for Georgetown; and another for Beaufort—The Congress takes measures for carrying into effect, the line of post establishment; which had been originated by the Continental Congress—Robert Cunningham presents a petition; which is unsuccessful—The state of the Treasury ascertained; and a vote of money passed—The Committee,

deliver in a form of Government—Endeavours made to postpone its consideration—They are overruled—The Provincial Congress resolves itself, into a committee of the whole; wherein, they consider and amend the same—Continental and colonial currency made a legal tender in the payment of debts—News arrives, of the passing of an act of parliament, authorizing the capture of American vessels and property; which silences opposition against the form of Government under consideration, and greatly advances public measures—The British ship. Port-Henderson and cargo, are immediately seized—The Provincial Congress, gives authority to one or more of the Delegates in the Continental Congress—John Rutledge, from the committee to prepare a plan or form of Government, makes an additional report, greatly enlarging the preamble of the same, which was amended and agreed to—After which, the constitution of Government was passed, and was signed by the President—Mr. Drayton is then chosen chairman; and adjourns the congress, as a General Assembly, to meet in the afternoon of that day.

WHILE Col. Richardson was putting down opposition in the interior, new alarms were occasioned at Charlestown, by the arrival of the Scorpion ship of war, commanded by Captain Tollemache. It will be recollect'd, that in July last, a letter from the Earl of Dartmouth was seized at Charlestown; which, encouraged his Excellency Josiah Martin, Governor of North-Carolina, in his endeavours to organize an opposition, in his government: and particularly, in the counties of Guildford, Dobbs, Rowan, and Surry, against the American cause. A copy of this letter, having been sent to the Committee at Newbern where the Governor resided, developed the plots he was pro-

jeeting; and with other discoveries, induced such patriotic measures, as to alarm his Excellency. Hence, following the example of Lord William Campbell, he first retired to Fort Johnson on Cape Fear River, where he fixed his residence; from whence he abdicated his government, by retiring on board of his Majesty's sloop cruizer some time in the month of July: * and afterwards, when the Scorpion in returning from the northward, came off the coasts of Cape Fear, he embarked on board of her; and from thence, proceeded to the port of Charlestown. So, that at this time, there were two British Governors without government, on board of the British ships in the harbour; namely, Governor Lord William Campbell, and Governor Josiah Martin.

Upon Captain Tollemache's arrival in Rebellion Road, he proposed an attack on Fort Johnson and Charlestown; calculating, that both could be carried, at the expense of fifty men: and he, and Lord William Campbell,† warmly pressed for the undertaking of this service. But Captain Thornbrough of the Tamer, declined it; alledging, that his ship was not able to lie before the heavy cannon of Fort Johnson. Disappointed in this project, Captain Tollemache said the people were in actual rebellion, and therefore ought to be distressed; and, that he had orders for acting towards them in that manner. Accordingly, on the 6th of December 1775, he seized two sloops inward bound, and regularly cleared; the one from St. Kitts, the other from Jamaica. On board of the sloop from St. Kitts, was a sum of money in specie, belong-

* See 1st vol. of the Remembrancer for 1775, page 282, published in London. Also Remembrancer for 1776, Part I pages 111, 163 to 172.

† Lord William Campbell, had formerly been commander of a small British vessel of war, on the Carolina station.

ing to Messrs. Samuel and Benjamin Legaree of Charlestown; for which reason, Captain Tollemache delivered the same, to Lord William Campbell as Governor. This transaction being noised in town, the Messrs. Legaree determined upon reprisal; and going with a part of the light infantry company of which they were members, they seized and carried away Lord William's chariot and horses, from his residence in Meeting-street. The Council of Safety immediately remonstrated to them, upon the impropriety of their conduct; and directed their messenger to restore the chariot and horses to Lady Campbell. He accordingly went with them to her ladyship, but she was indignant on the occasion; and refused receiving them, as they had been taken away by violence. During this time, Fenwicke Bull, a notary public, had been on board of the men of war, to make a notarial demand of the captured vessels, and the money belonging to the Legarees; and on his return, he reported to the Council, the conversation which had passed between Lord William, Captain Tollemache, and himself. From this it appeared, that Tollemache had proposed the attack already mentioned; and that he had declared on his honour, he soon expected two frigates and a bomb vessel, to arrive in Charlestown harbour. He farther said, that he did not deny his having received and given protection to Negroes, as they came to him for that purpose, and as freemen: and, that he could have had five hundred who had offered. He also declared, we "were all in actual rebellion; and, that he had orders, to distress America by every means in his power." He farther avowed, the seizure of Messrs. Legarees' money; but said he had delivered it to Lord William Campbell, whose receipt he had for it. On the contrary, Lord William who had not been present when this last discourse took place, declared he had nothing

to do with the money, the seizures, or the Negroes. The matters in dispute, remained in this situation, until the 12th of December; when, on the petition of the Messrs. Legarees, the Council of Safety gave them authority to sell the chariot and horses, to reimburse themselves for the one hundred and sixty half Johannes' in Lord William's custody; and for the expenses attending the sale; first, giving his lordship sufficient notice of the day of sale, that he might prevent the same, by restoring the money. His lordship, however, took no steps on the occasion; consequently, the chariot and horses were sold. After this, it was discovered that Lord William was privately endeavouring to remove his effects from his house in town; in consequence of which, a guard was placed there on the 16th December, to preserve them for his creditors—as Lady Campbell had withdrawn the evening before. And ultimately, those effects, excepting his Excellency's apparel, were sold by order of the Provincial Congress. At this time, the Council of Safety became gradually more vigorous; and consequently, there was less use for the General Committee; hence, soon after this affair, the meetings of the Committee terminated; and the 27th day of December 1775, was the last time of its assembling, for the purpose of doing business, as a General Committee.

Lady Campbell having so withdrawn herself from Charlestown, and having retired to her husband on board the Cherokee sloop of war on the 15th of December, and the men of war openly giving refuge to runaway Negroes, the Council of Safety wished to cut the communication entirely off from them; and towards that end, they now (16th December 1775) put in commission the Prosper ship of war, having twenty

9-pounders on board, besides smaller ordnance.* And wishing to give some energy to the naval preparations, which were going on about this time, and which required an influential character to promote, particularly as relating to recruiting sailors, in this and the neighbouring Colonies; William Henry Drayton, one of their body, and then President of the Provincial Congress, was appointed by them to be “Captain and Commander” of her, “*for the protection of the harbour of Charlestown,*” as expressed in his commission. It is true, Mr. Drayton’s liberal education in Europe, had been very different from one of sea affairs; on which account, this appointment was thought somewhat extraordinary: but the Council of Safety, had their reasons for so doing; and were satisfied they thereby promoted the public service. He was a gentleman, whom they had tried on the most important occasions; some of which, were especially obnoxious to the British administration, and particularly dangerous to himself; should the contest unhappily end in a rebellion, instead of a revolution. For these, among other reasons, they conferred on him this appointment; as through him, not only as a Commander, but as a member of the Council of Safety, and President of the Provincial Congress, operations might be carried on, with a secrecy and dispatch, which might be productive of the happiest effects.†

* Moultrie’s Memoirs, vol. I. page 110. Notwithstanding what General Moultrie says in his Memoirs, as to the cannon being 9-pounders; it is evident, some of them were of larger caliber: for it is mentioned in the orderly book of *Major Barnard Elliott, of the regiment of artillery*, that on the 7th June 1776, “Eight 12-pounders that are to be landed from on board the ship Prosper with their carriages, ammunition, and stores; five of which, to be sent up to Gibbes’ Battery; the remainder, to the Battery on Laurens’ wharf.” Also, “The seven 6-pounders from on board the same vessel, to be sent to the redoubt on Harleston’s Green.”

† See Appendix to this Chapter, No. I.

On the 2d day of December Mr. Drayton and Dr. Olyphant, two members of the Council of Safety, were appointed by the Council, to make proper inquiries towards erecting a battery on Haddrell's point; a measure, which the Council had before rejected. And in consequence of these preparations both by land and water to annoy the men of war in the harbour, together with the danger attending any of their men, setting foot on Sullivan's Island, covered as it then was with thickets for concealing ambuscades, and all supplies of provision being cut off; they began to find, the day would shortly arrive, when their remaining in the harbour, would be a matter of no easy nature. Mr. Drayton and Dr. Olyphant now made a favorable report respecting the expediency and feasibility of erecting a battery at Haddrell's Point; on which, the Council of Safety issued orders to Colonel Moultrie to confer with Mr. Drayton and Dr. Olyphant, on taking post, and erecting a fascine battery for four cannon, 18-pounders, at Haddrell's Point with all convenient dispatch. And for this purpose, he was directed to order a detachment from the provincials, of two hundred privates, commanded by a Major; he was also directed, to order Captain Beekman of the artillery regiment on this service, and that he provide all necessary stores for the cannon.*

In pursuance of these measures, Major Charles Cotesworth Pinckney with a detachment of four Captains, eight subalterns, and two hundred rank and file, with a number of mechanics and labourers, accompanied by Col. Moultrie, and many gentlemen volunteers, passed over from Charlestown in the night of the 19th December; and on landing at Haddrell's Point, they fell to work with such spirit, that by daylight they

* See Appendix, No. II.

were covered from the shot of the ships: and, in a few hours more, they laid the platforms, and mounted the canon. Upon this, the embrasures were opened; when the men of war were saluted at about a mile's distance with a few shot from the 18-pounders: and some of these were directed so true, that the men of war fell back, opposite Sullivan's Island; and by sunrise they burnt the pest-house, destroyed a quantity of water casks, killed three Negroes, and brought off four white men, four women, and three children, together with four Negroes, as prisoners.

The men of war, being now driven from their anchorage in the harbour, prepared for retiring to where they might lie more at their ease; and attempted to sail, on the 2d of January 1776: but the wind failing, they sailed on the 6th—when, the idea was taken to build a fort on Sullivan's Island; and in the mean time, to erect a fascine battery there. For this purpose, a Captain's command of provincials from the first regiment of fifty men, and a similar force from the second regiment, were ordered on the 10th January as a covering party for those, who should be employed in erecting the fascine battery. These troops had scarcely made a lodgement on Sullivan's Island, when on the 11th January about 10 o'clock in the morning, the weather being very hazy, two ships and a sloop were descried at anchor, to the northward of the bar, making signals for a pilot. About 1 o'clock in the day, a boat was sent from Fort Johnson, to discover what they were; but, although she proceeded almost to the bar, so thick was the atmosphere, those on board could not distinguish whether they were of force or not. On the next day, the vessels in the offing, sent in a ten-oared barge, to procure intelligence from a Spanish ship, which was then lying at anchor in five fathom hole, outward bound; and hav-

ing been on board, they approached Fort Johnson, to reconnoitre that post. The fort, consequently fired upon the barge; on which, she put about—and in returning to the ships, met with a boat which had been sent forward again from the fort for intelligence, under the pretence of catching fish. They immediately asked of the men in the boat, why the fort had fired—and, where were the Tamer and Cherokee sloops of war? And, upon finding that the fort was in the possession of the provincials, and that the sloops of war had departed, they threatened vengeance the first fair wind and tide; and said the ships in the offing were men of war, one of 50 guns, the other of 28; with a sloop to lighten the fifty gun ship in coming in over the bar: they, however, afterwards turned out to be the Syren and Raven, of 28, and 18 guns. Upon this, alarm guns were fired; and every one recollects, the recent declaration of Captain Tollemache.

The danger of an attack, with the first fair weather, seemed certain; and should those vessels be joined by the Tamer and Cherokee, a happy event was scarcely to be hoped. For, at this time, no works of the least consequence were constructed at Sullivan's Island; and although Fort Johnson were in readiness, yet Charlestown was by no means prepared for such an unexpected visit: beside which, fears were entertained of the town's being set on fire by domestic enemies, while the forces should be engaged with the vessels of war. The Council now acted, with decision and dispatch; and having made arrangements with Colonel Moultrie as well for the posting of troops and engines against fire, as for manning the bastions and batteries of the town which were in readiness for action; they hastened to collect militia, from the nearest regiments. This aid, however, from the country, arrived but slowly; as on the 25th of January, only 200 militia-

men had marched into the town. At this time, however, the British vessels of war had disappeared; and once more, the harbour was open to the ingress and egress of vessels; and the alarms which had been excited, settled down. The Council, however, thought it expedient to throw as many difficulties in the way as possible, to vessels of war approaching the town; and therefore orders were issued to Colonel Moultrie, to cause the commanding officer of the detachment on Sullivan's Island, as soon as the intended temporary battery was in readiness, to fire upon any ships of war, boats, or other vessels belonging to the enemy, attempting to pass, or to land troops on the Island; and in the mean time to use all the force in his power, to prevent the enemy's landing there, or passing by.*

Although the enemy had withdrawn, yet the apprehension of an attack continued; as did the calls for aid from the country. However, on the sixth of February, three hundred volunteers of Richardson's and Powell's regiments, who had been down on duty, being willing to remain, they were retained until the 1st of March; and the rest of the country militia were discharged. At this time (Feb. 7th) a new arrangement took place, respecting the horses of militiamen; and it was resolved, by the Provincial Congress, "that in lieu of making provision in future for the horses of detachments ordered to march on the public service; provision shall be made for waggons and carts, for the conveyance of the necessary baggage of such detachments, while in actual service."

The Provincial Congress having been adjourned on the 29th day of November last, to meet on the 1st day of February 1776, it now met on that day; but the

* See Appendix, No. II.

weather being bad, and but few members attending, William Henry Drayton, the President, adjourned it to the next day. On the 3d of February, they received a letter from the Delegates of this Colony in the Continental Congress dated Philadelphia, Jan. 2d, 1776, enclosing copies of intercepted letters, certified by Charles Thomson, Secretary of that Congress; among which were letters from Lord William Campbell to General Gage; John Moultrie, Lieutenant-Governor of East Florida, to Colonel James Grant; Frederick George Muleaster, Engineer at St. Augustine, to Col. Grant; John Stuart, the King's Superintendant of Indian Affairs in the Southern District of North America, to General Gage; Major Furlong to General Gage, and Patrick Tonyn, Governor of East Florida, to General Gage; the originals having been taken by Captain Manley, of the continental armed schooner Lee,* within a few hours sail of Boston, in a sloop that was, at the same time, conveying Moses Kirkland to General Gage, after having first carried him to Lord Dunmore in Virginia.† These letters, together with an original letter, badly spelt, from Moses Kirkland, dated “*27th Janury 1776 at the Gael of philadelphia, To the Honourable Henry Leorraine, Esq. and presedent of the Counsel of Safety at Charles Town in South-Carolina,*” were soon after, published in a pamphlet, by order of the Provincial Congress. At the same time, the Provincial Congress received a resolve of the Continental Congress, dated the 1st of January, recommending, that the three Southern States should jointly undertake at the continental expense, an expedition against St. Augustine; and, that the joint consultation upon the subject,

* See copies of two of these letters, from John Stuart to Gen. Gage, in the Appendix to Chapter VII. of this work, No. VI.

† See Marshall's Life of Washington, vol. 2d, page 258

should be holden at Charlestown: a measure, no doubt, induced, by the letters, which had been so intercepted. For they unsfolded the plan of bringing the Indians on our defenceless frontiers, in the performance of which, Kirkland was to have acted no small part; having been commissioned, or appointed to such an enterprize;* and in these letters, General Gage was referred to him—as to a particularly confidential, and well informed messenger.

Henry Middleton, and John Rutledge, two of the Delegates of this Colony to the Continental Congress, having lately returned from Philadelphia, and having presented a manuscript copy of the Journals of the Congress; the Provincial Congress on the 8th of February, resolved, that their President signify their approbation, and present their thanks to the above-mentioned Delegates, then present in the Provincial Congress, and to the other Delegates of this Colony at Philadelphia; for their important services, in the American Congress. In pursuance of which, Mr. Drayton the President, addressed himself to Mr. Middleton, and Mr. Rutledge, in nearly the following words:

“ Gentlemen,

“ When the hand of tyranny, armed in hostile manner, was extended from Great Britain to spoil Amer-

* In like manner *John Connelly*, a native of Pennsylvania, was commissioned by Gen. Gage, to bring down the Northern Indians upon Virginia and North-Carolina; but he was fortunately arrested in Maryland, about five miles above Hagerstown on his way to Fort Pitt; and was sent prisoner also to Philadelphia. Steedman's History of the American War, vol. I. page 151. Ramsay's United States, vol. II. page 84. See also the London Remembrancer, for 1776, Part I. from page 218 to 221—also pages 350, 357, where the particulars of his arrest are to be found—as also of his destination.

rica of whatever she held most valuable; it was, for the most important purposes, that the good people of this Colony delegated you, to represent them in the Continental Congress at Philadelphia. It became your business to ascertain the rights of America—to point out her violated franchises—to make humble representation to the King for redress—and—he being deaf to the cries of his American subjects—to appeal to the King of Kings, for the recovery of the rights of an infant people, by the Majesty of Heaven formed for future empire.

"In this most important business, you engaged as became good citizens; and, step by step, you deliberately advanced through it, with a regret and sorrow, and with a resolution and conduct, that bear all the characters of ancient magnanimity. Your constituents, with a steady eye, beheld your progress. They saw the American Claim of Rights—the Association for the recovery of American franchises—and the humble petition to the King, for redress of grievances. They saw the American appeal to the King of Kings; and a second humble petition to the British Monarch —alas! as unavailing as the first. They have also seen the establishment of an American naval force—a treasury—a general post-office*—and the laying on a continental embargo: in short, they have seen permission granted, to Colonies, to erect forms of government, independent of, and in opposition to, the regal authority.

* "On the 26th of July (1775) the Continental Congress authorized the appointment of a Postmaster-General for the United Colonies, to hold his office at Philadelphia; with power to appoint as many Deputies as he might deem proper and necessary; and, under his direction, a line of posts was ordered, from Falmouth in New-England, to Savannah in Georgia, with as many cross-posts, as the Postmaster-General should think fit. Benjamin Franklin was, by an unanimous vote, appointed to the office." See New Edition of the Laws of the United States, vol. I p. 4, and 649. Also p. 143, *ante*.

“ Your country saw all these proceedings, the work of a body of which you were and are members; proceedings arising from dire necessity, and not from choice—proceedings that are the natural consequences of the present inauspicious reign—proceedings just in themselves—and which, notwithstanding the late declarations of the corrupt houses of parliament—the proclamation at the court of St. James’ on the 23d of August—and the subsequent royal speech in parliament—are, exactly as far distant from treason and rebellion, as stands the glorious Revolution, which deprived a tyrant of his kingdoms—and elevated the house of Brunswick to royalty.

“ Worthy Delegates! It is the judgment of your country, that your conduct, of which I have just marked the grand lines in the American Congress, is justifiable before God and man; and that, whatever may be the issue of this unlookedfor defensive civil war, in which, unfortunately, though gloriously, we are engaged—whether independence or slavery; all the blood, and all the guilt, must be imputed to *British*, not to American counsels. Hence, your constituents, sensible of the propriety of your conduct, and of the benefits which, with the blessing of the Almighty, it is calculated to shed upon America, have constituted me, their instrument, as well to signify to you their approbation, as to present to you their thanks; and, it is in the discharge of these duties, that I now have the honour to address you.

“ In an important crisis like the present, to receive the public thanks of a free people, is to receive the most honorable recompense for past services—and, to deserve such thanks, is to be truly great. I know, that it is with pain, such men hear their commendations. Gentlemen, with the public recompense, I

mean to pay in to you, my mite also; and lest I wound your delicacy, when I mean only to do justice to your merit, I forbear to particularize, what is already well known. I therefore confine myself; and I do most respectfully, in the name of the Congress, present to you, and to each of you, the thanks of your country, for your important services in the American Congress, at Philadelphia."

On the same day a Committee was appointed consisting of the members of the Council of Safety, together with William Henry Drayton, Col. Powell, and Major Charles Cotesworth Pinckney, to take into consideration the following resolution of the Continental Congress of the 4th of November last, viz.

"Resolved, That if the Convention of South-Carolina, shall find it necessary to establish a form of government in that Colony, it be recommended to said Convention, to call a full and free representation of the people; and, that the said representatives, if they think it necessary, establish such form of government, as, in their judgment, will best produce the happiness of the people, and most effectually secure peace and good order in the Colony, *during the continuance of the present dispute between Great Britain and the colonies.*"

While this Committee were considering, the important subject which they had in charge, the attention of the Provincial Congress was directed to the discipline of the army, which was such, as required immediate correction; and the President was directed this day (Feb. 8th) immediately to write to Col. Christopher Gadsden, one of the Delegates at Philadelphia, to hasten his return as soon as possible; as being the senior officer, it was wished he should assume the

command of the troops. On this subject, he had been written to the 2d of October last, by order of the General Committee; and being on his return, he arrived in Charlestown the same evening. The next day, agreeably to the resolve of the 8th, the thanks of Congress were delivered to him as they had been to Mr. Middleton and Mr. Rutledge, for his important services in the American Congress: and he was added to the above Committee for considering the resolve and recommendation of the Continental Congress, respecting a form of government. At this time, Col. Gadsden presented to the Provincial Congress an elegant Standard, such, as was to be used by the Commander in Chief of the American navy; being a yellow field, with a lively representation of a rattle-snake in the centre, in the attitude of going to strike; and these words underneath: “DON’T TREAD ON ME.” It was accordingly ordered to be carefully preserved, and displayed in the Congress’ room; and from that time, it was placed in the south-west corner of that room, at the left hand, of the President’s Chair.

On the tenth of February, Col. Laurens from the Committee respecting a form of government reported; and the same was immediately taken into consideration: when many members were opposed to its being taken up by the present Congress—some of them, because they were not prepared for so decisive a measure—others, because they did not consider the present members as vested with that power by their constituents. On this occasion, Col. Gadsden (having brought the first copy of Paine’s pamphlet entitled “*Common Sense*,” &c.) boldly declared himself, not only in favour of the form of government; but, for the absolute Independence of America. This last sentiment, came like an explosion of thunder upon the members of Congress; as the resolution of the Con-

tinental Congress, upon which, the report for a form of government was grounded, had by no means led them to anticipate so decisive a step: neither had the majority of the members at that time, any thoughts of aspiring at independence. A distinguished member in particular, declared he abhorred the idea; and that he was willing to ride post, by day and night, to Philadelphia, in order to assist, in re-uniting Great Britain and America: and another called the author of Common Sense, ——————. Even the few, who wished for independence, thought Col. Gadsden imprudent in thus suddenly declaring for it; when, the house was unprepared for considering a matter of such great importance. However, after some time spent in considering the report, the President resumed the Chair; when, the Rev. Mr. Tennent, from the committee of the whole, reported, “That they had gone through the report referred to them, and agreed to the same, without any alteration, to wit:

“ That in their opinion, the present mode of conducting public affairs, is inadequate to the well governing the good people of this Colony; that many regulations are wanting, for securing peace and good order, during the unhappy disputes between Great Britain and the Colonies; and, that the Congress should immediately take under consideration, what regulations are necessary for these good purposes.”

On the next day, this report was unanimously confirmed by the Provincial Congress; and on the 11th of February, they elected a committee of eleven members to prepare and report such a plan or form of government, as would best produce the happiness of the people; and would most effectually secure peace and good order in the Colony, during the continuance of the dispute between Great Britain and the Colo-

nies. The gentlemen who were so chosen as members of the committee, were,

Charles Cotesworth Pinckney, John Rutledge, Charles Pinckney, Henry Laurens, Christopher Gadsden, Rawlins Lowndes, Arthur Middleton, Henry Middleton, Thomas Bee, Thomas Lynch, jun. and Thomas Heyward, jun.

About this time, Colonel Christopher Gadsden as senior officer took upon himself the command of the troops; and on the 13th of February he issued his first General Orders; in which, he required that all orders issued by Col. Moultrie antecedent thereto, and not already complied with, should be strictly obeyed. The defenceless situation of Charlestown, was now very apparent; as nothing was greater than the difficulty of bringing militia down from the country, to defend it. And in doing this, much time was lost in collecting the men, and in the march to and from the town: besides which, their impatience from home, was extreme, and the expense of maintaining them, great. Notwithstanding, however, these difficulties, the Congress voted on the 19th of February, that 1050 men of the country militia, should be drafted and marched for the immediate defence of Charlestown. And three days after this temporary expedient, they augmented, and made, their military establishment; by originating two rifle regiments, one of seven hundred men, and the other of five hundred. The field officers of the first mentioned regiment were Isaac Huger, Colonel—Alexander M'Intosh, Lieutenant-Colonel—and Benjamin Huger, Major: those of the last-mentioned regiment were Thomas Sumter,* Lieutenant-

* During the revolutionary war, he was afterwards made a Brigadier General of state troops, by Governor Rutledge.

Colonel Commandant—and William Henderson, Major: and the said two regiments were ranked, as the fifth, and sixth, of the provincials in the Colony's service. At this time also, Paul Trapier, jun. was appointed Captain of the Georgetown artillery, and William Harden, Captain of the Beaufort artillery, companies.

A constitutional post was now established, under the authority of the Continental Congress; and measures were taken by the Provincial Congress, for carrying the same fully into effect, by giving all possible dispatch to the passage over ferries and bridges, of the constitutional post-riders. At this time also, Robert Cunningham, who was confined in gaol, addressed a petition to the Congress, proposing to observe a neutrality; but, although it was read, it did not then procure his enlargement.

On the 6th March, the Provincial Congress ascertained the state of their treasury; and found, that after discharging the services then due, there would remain in the treasury no more of the one million one hundred and twenty thousand pounds, issued by the authority of the Congress, than three hundred thousand pounds: to meet therefore the farther services of the Colony, they voted an additional sum of seven hundred and fifty thousand pounds currency. And on the same day, they prohibited Henry Peronneau and Benjamin Dart, the joint public Treasurers, from issuing any public monies in their charge; without orders for that purpose first obtained from the Congress, or proper authority derived from them.

The Committee upon a form of government, having delivered in a report; the Provincial Congress on the 5th of March took into consideration when they

should consider the form of government reported. On this occasion Mr. L—— and those members who were with him in opinion, strongly contended putting off what they thought the evil day—that the words of the continental resolution should be observed—and a new representation should be summoned on the occasion. It was answered against that opinion, that the Congress aimed at the happiness and good order of the Colony—that this was a full and free representation—and if a new Congress were called, that would not be more so: in short, that time pressed—and, we had none to lose. This opinion prevailing, a motion was then made to postpone the consideration of the report, until May; but this was overruled: and the 8th of March was finally determined upon, when the house would in a committee of the whole, take into consideration, the report on a plan, or form, of government.

When that day arrived, the Provincial Congress resolved itself into a committee of the whole, to take the same into consideration; and continued their deliberations on it for several days. In the progress of which, a *President*, was substituted for a *Governor*; and a Vice-President was made, in the place of a Lieutenant-Governor. The *Provincial Congress*, stated as being a full and free representation of the people of this Colony, was to be thenceforth deemed and called the *General Assembly of South-Carolina*. A *Legislative Council* of thirteen members, was substituted for the former *King's Privy Council*; and the Vice-President, *ex officio*, was a member and President of the same. The legislative authority was vested in the General Assembly, and the Legislative Council; and the Council and the Assembly, were to be elected, every two years. These, among other subordinate provisions, formed the features of this new

code of government; and thus perfected, the committee of the whole, handed it over to the Provincial Congress, for its final disposal.

On Friday the 15th of March, the Congress took the temporary constitution, so modelled and reported, into their consideration; when, proceeding in that clause of the first section of the report, “That this Congress being a full and free representation of the people shall henceforth be called the *General Assembly* of South-Carolina,” it was moved that the same be stricken out, but after some debate, it passed in the negative: as did the motion, that the words “*Legislative Council*” be stricken out: 40 to 30; tellers for the yeas, Colonel Gadsden; for the nays, Lieutenant-Colonel Charles Cotesworth Pinckney: and the choice of them was confined to be from the members of the General Assembly. An attempt to reduce the representation, was lost; as was another to prevent the President from being elected more than twice successively. These determinations, were, however, the work of many days, and of much controversy; during which, the house attended to various other matters of the public service; among which, a resolution was passed, making all continental, and colony currency, and tax and other certificates, and orders issued by authority of the Commons-House of Assembly, legal tender.

After this manner, the Provincial Congress continued to advance, step by step; daily meeting with oppositions in adjusting the constitution, and striving to surmount them: when on the 21st of March, an act of the British Parliament passed December 21st, 1775, authorizing the capture of American vessels and property, and of which the patriotic authorities of Georgia had become possessed, (together with an

accompanying letter to Governor Wright, who had fled from that Colony,) was transmitted to the Congress, by express from Savannah.* This, silenced in a great measure, the moderate men, who wished a reconciliation with Great Britain—put down attempts of postponement, and opposition—and greatly advanced the public measures which were then in hand.

This act, declared all seizures of the persons and property of, and damages done to, the American Colonists before the passing of the said act, from Massachusetts-Bay to Georgia inclusive, to be legal; and also that all the said Colonies were in actual rebellion. It was entitled “An Act to prohibit all trade and intercourse with the Colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the three Lower Counties on Delaware, Maryland, Virginia, North-Carolina, and Georgia, during the continuance of the present rebellion within the said Colonies respectively; for repealing an act, made in the 14th year of the reign of his present Majesty, to discontinue the landing or shipping of goods, wares, and merchandize, at the town, and within the harbour, of Boston, in the province of Massachusetts-Bay; and also two other acts, made in the last session of parliament, for restraining the trade and commerce of the Colonies in the said acts respectively mentioned; and to enable any person or persons, appointed and authorized by his Majesty, to grant pardons, to issue proclamations, in the cases, and for the purposes, therein mentioned.” A copy of this act was forthwith dispatched, to the Continental

* This act had been brought in a King's Packet to Georgia, which arrived at Cockspur Roads, about the 13th of March. See conclusion of Chapter XIV.

Congress at Philadelphia; and suitable extracts from the same, were ordered to be printed, and published.

At this time, the British ship Henderson, which had put into the port of Charlestown on her passage from Jamaica to London, loaded with sugar and other West-India articles; was lying under the cannon of Fort Johnson, cleared out, and bound for London: but her destination was immediately changed by a resolution of the Provincial Congress, ordering her to be seized forthwith, “and brought up to Charlestown, under the care of the Prosper ship of war; that upon the said ship being brought up, the cargo be landed and sold—and, that the said cargo being sold, the monies arising from such sale, be lodged in the Colony Treasury.” From the amount sales of sugars of this ship, £46,217 18 2, were placed in the Colonial Treasury.*

On the 23d of March, the Provincial Congress resolved, “That the Delegates of this Colony in the Continental Congress, or a majority of them as shall, at any time, be present in the said Congress, or any one of the said Delegates, if no more than one shall be present, be, and they and he, are and is, hereby authorized and empowered, for and in behalf of this Colony, to concert, agree to, and execute, every measure, which they or he, together with a majority of the Continental Congress, shall judge necessary, for the defence, security, interest or welfare of this Colony in particular, and of America in general.” On the 24th, John Rutledge from the Committee to prepare a plan or form of government, in addition to their former report, made a farther one; greatly enlarging

* See South Carolina Treasury Ledger, large folio, in the Treasury Office Charleston, commencing December 31st, 1777, page 87.

the preamble of the constitution, as to American grievances, and British oppressions;* which being taken into immediate consideration, superseded entirely the circumscribed preamble which had been reported with a constitution: and the whole report respecting the constitution was gone through; the same was ordered to be forthwith engrossed, and to be laid before the Congress. After this, rules and articles were established for the government of the navy of this Colony; and as respected rank, between the officers of the land and sea forces. And, on Tuesday the 26th day of March 1776, the engrossed copy of the constitution with the title prefixed being read; it was ordered, “that Mr. President of the Congress do sign the same, and also the Secretary.”† Which, being done by William Henry Drayton, and Peter Timothy, the members made choice of Mr. Drayton to be their Chairman: by whom they were adjourned as a *General Assembly*, to meet at five o’clock in the afternoon.

Such were the events, which ushered in the new year of 1776; and which sufficiently contradicted the assertion, that we were a divided people. But, that the constitution might not strike in too glaring a light, the apprehensions of timid or weak minds; a part of the preamble stated, “it is become indispensibly

* Before the British act arrived on the 21st of March, the preamble to the temporary constitution which had been reported by the committee, was short and circumscribed; lest by spreading forth all the grievances, too much opposition would be excited against the passing of the constitution. This evidently appears, by referring to the original preamble, upon which, the debates took place; and which is in the hands of the writer of these Memoirs; and in which the blanks in the preamble, were never filled up, as being entirely superseded by the preamble introduced by Mr. Rutledge. The whole of which preamble is in Mr. Rutledge’s *own hand writing*.

† See Appendix, No. IV.

necessary, that during the present situation of American affairs, and until an accommodation of the unhappy differences between Great Britain and America can be obtained, (an event, which though traduced and treated as rebels, we still earnestly desire,) some mode should be established by common consent, and for the good of the people, *the origin and end of all government*, for regulating the internal polity of this Colony."

A P P E N D I X

TO

CHAPTER XIII.

No. I.

SIR,

AS you intimated that you could conveniently assist the smaller armed vessels, with forty good men from on board the ship Prosper; and, as we judge it to be very necessary for the public service, immediately to equip these vessels for cruising on the coast; we desire you will order thirty such men on board the brig Comet, to obey the orders of Captain Turpin and his officers; and ten on board the schooner Defence, to obey the orders of Captain Tufts and his officers.

26th February 1776.

By order of the Council of Safety.

HENRY LAURENS, *President.*

*The Hon. Captain Drayton,
Commander of the Colony ship Prosper.*

DEAR SIR,

Enclosed you will find Colonel Gadsden's orders, for eighteen men to be put on board the armed schooner Peggy, of which, Lieut. Sherman* is to be the commander. The mate of the schooner has consented to go, which I am glad of; as he is acquainted with the vessel, and every thing about her.

I am of opinion, that two of your 4-pounders which may be hoisted in, in an instant, will be of great service; and, although there are no ringbolts in the schooner, the seamen will soon make a contrivance for fixing and working the guns, sufficient for the intended short service.

Your lieutenants will be deliberate, in taking every necessary article on board—dispatch is absolutely necessary—she must be at, or over the bar, by daylight. You will give, the necessary orders; and I would for the encouragement of the men, besides the value of the prize, promise thirty-five pounds per man, for every prisoner taken; and the like sum, for every man killed of the enemy.

I am, dear Sir,

Your obedient humble servant,
HENRY LAURENS.

Charlestown, 21st March 1776.

*The Hon. William Henry Drayton,
Commander of the ship Prosper.*

A light in the main shrouds, will be a signal to the fort, to pass.

* He was first Lieutenant of the Prosper

No. II.

December the 17th, 1775.

IN THE COUNCIL OF SAFETY.

SIR,

You are directed to confer with the honorable William Henry Drayton and Dr. Olyphant, upon taking post, and erecting a fascine battery for four cannon, 18-pounders, at Haddrell's Point, with all convenient dispatch; and, for this service, you will order a detachment from the provincials, consisting of two hundred privates, commanded by a Major; one surgeon is necessary. You are likewise to order Captain Beekman of the artillery regiment upon this service; and, that he provide all necessary stores for the cannon, with all dispatch possible.

By order of the Council of Safety.

HENRY LAURENS, *President.*

Colonel Moultrie.

No. III.

IN THE COUNCIL OF SAFETY.

12th January 1776.

SIR,

We desire you to order the commanding officer, of the detachment on Sullivan's Island,* as soon as the

* The island was then covered in some places, with live oak, myrtle, palmetto-trees, and underwood.

intended temporary battery is in readiness, to fire upon any ships of war, boats, or other vessels belonging to the enemy, attempting to approach, pass, or land troops upon the island: and, in the mean time to use all the force in your power to prevent the enemy's landing or passing by.

By order of the Council of Safety.

HENRY LAURENS, *President.*

Col. Moultrie.

No. IV.

SOUTH-CAROLINA.

In a CONGRESS, begun and holden at Charlestown,
on Wednesday the first day of November, one
thousand seven hundred and seventy-five, and
continued, by divers adjournments, to Tuesday
the twenty-sixth day of March, one thousand
seven hundred and seventy-six.

A

CONSTITUTION,

OR

FORM OF GOVERNMENT,

Agreed to, and Resolved upon,

BY

THE REPRESENTATIVES OF SOUTH-CAROLINA.

WHEREAS, the British Parliament, claiming of late years a right to bind the North American Colonies by law, in all cases whatsoever, have enacted statutes for raising a revenue in those Colonies, and disposing of such revenue as they thought proper, without the consent, and against the will of the colonists. And whereas it appearing to them, that (they not being represented in parliament) such claim was altogether unconstitutional, and, if admitted, would at once reduce them from the rank of freemen to a state of the most abject slavery; the said Colonies, therefore, severally remon-

strated against the passing, and petitioned for the repeal of those acts—but in vain. And whereas, the said claim being persisted in, other unconstitutional and oppressive statutes have been since enacted, by which the powers of the Admiralty Courts in the Colonies are extended beyond their ancient limits, and jurisdiction is given to such courts in cases similar to those which in Great Britain are triable by jury. Persons are liable to be sent to, and tried in, Great Britain, for an offence created and made capital by one of those statutes, though committed in the Colonies—the harbour of Boston was blocked up—people indicted for murder in the Massachusetts-Bay, may, at the will of the Governor, be sent for trial to any other Colony, or even to Great Britain—the chartered constitution of government in that Colony is materially altered—the English laws and a free government to which the inhabitants of Quebec were entitled by the King's royal proclamation, are abolished; and French laws are restored; the Roman Catholic religion (although before tolerated and freely exercised there) and an absolute government are established in that province, and its limits extended through a vast tract of country, so as to border on the free Protestant English settlements, with design of using a whole people, differing in religious principles from the neighbouring Colonies, and subject to arbitrary power, as fit instruments to overawe and subdue the Colonies. And whereas, the Delegates of all the Colonies on this continent, from Nova Scotia to Georgia, assembled in a General Congress at Philadelphia, in the most dutiful manner, laid their complaints at the foot of the throne, and humbly implored their sovereign, that his royal authority and interposition might be used for their relief from the grievances occasioned by those statutes, and assured his Majesty, that harmony between Great Britain and America, ardently desired by the latter, would be thereby immediately restored, and that the colonists confided in the magnanimity and justice of the King and Parliament for redress of the many other grievances under which they laboured. And whereas, these complaints being wholly disregarded, statutes still more cruel than those above mentioned, have been enacted, prohibiting the intercourse of the Colonies with each other, restricting their trade, and depriving many thousands of people of the means of subsistence, by restraining them from fishing on the American coast. And whereas, large fleets and armies, having been sent to America, in order to enforce the exe-

cution of those laws, and to compel an absolute and implicit submission to the will of a corrupt and despotic administration, and in consequence thereof, hostilities having been commenced in the Massachusetts-Bay, by the troops under command of General Gage, whereby, a number of peaceable, helpless, and unarmed people, were, wantonly robbed and murdered; and there being just reason to apprehend, that like hostilities would be committed in all the other Colonies, the colonists were therefore driven to the necessity of taking up arms to repel force by force, and to defend themselves and their properties, against lawless invasions and depredations. Nevertheless, the Delegates of the said Colonies, assembled in another Congress at Philadelphia, anxious to procure a reconciliation with Great Britain upon just and constitutional principles, supplicated his Majesty to direct some mode by which the united applications of his faithful colonists might be improved into a happy and permanent reconciliation; that in the mean time measures might be taken for preventing the further destruction of their lives; and that such statutes as immediately distressed any of the colonists might be repealed. And whereas, instead of obtaining that justice to which the colonists were and are of right entitled, the unnatural civil war, into which they were thus precipitated, and are involved, hath been prosecuted with unremitting violence; and the Governors and others bearing the royal commission in the Colonies, having broken the most solemn promises and engagements, and violated every obligation of honour, justice, and humanity; have caused the persons of divers good people to be seized and imprisoned, and their properties to be forcibly taken and detained, or destroyed, without any crime or forfeiture—excited domestic insurrections—proclaiming freedom to servants and slaves—enticed or stolen them from, and armed them against their masters—instigated and encouraged the Indian nations to war against the colonies—dispensed with the law of the land, and substituted the law-martial in its stead—killed many of the colonists—burned several towns, and threatened to burn the rest; and daily endeavour, by a conduct which has sullied the British arms, and would disgrace even savage nations, to effect the ruin and destruction of the Colonies. And whereas, a statute hath been lately passed, whereby, under pretence that the said Colonies are in open rebellion, all trade and commerce whatsoever with them is prohibited—Vessels belonging to their inhabitants trading in, to, or

from the said Colonies, with the cargoes and effects on board such vessels, are made lawful prize, and the masters and crews of such vessels, are subjected, by force, to act on board the King's ships, against their country and dearest friends; and all seizures and detentions, or destruction of the persons and properties of the colonists, which have at any time been made, or committed, for withstanding or suppressing the said pretended rebellion; and which shall be made in pursuance of the said act, or for the service of the public, are justified; and persons suing for damages in such cases are, on failing in their suits, subjected to payment of very heavy expenses. And whereas large reinforcements of troops and ships have been ordered, and are daily expected in America, for carrying on war against each of the United Colonies, by the most vigorous exertions. And whereas, in consequence of a plan recommended by the Governors, and which seems to have been concerted between them and their ministerial masters, to withdraw the usual officers, and thereby loosen the bands of government, and create anarchy and confusion in the Colonies; Lord William Campbell, late Governor, on the fifteenth day of September last, dissolved the General Assembly of this Colony, and no other hath since been called, although, by law, the sitting and holding of General Assemblies, cannot be intermitted above six months; and having used his utmost efforts to destroy the lives, liberties, and properties of the good people here, whom by the duty of his station he was bound to protect, withdrew himself from the Colony, and carried off the Great Seal, and the Royal Instructions to Governors. And whereas, the Judges of the Courts of Law here have refused to exercise their respective functions, so that it is become indispensably necessary, that during the present situation of American affairs, and until an accommodation of the unhappy differences between Great Britain and America can be obtained, (an event, which though traduced and treated as rebels, we still earnestly desire) some mode should be established by common consent, and for the good of the people, *the origin and end of all government*, for regulating the internal polity of this Colony, THE CONGRESS, being vested with powers competent for the purpose, and having fully deliberated touching the premises, DO therefore RESOLVE,

I. That this Congress, being a full and free representation of the people of this Colony, shall henceforth be deemed and called the GENERAL ASSEMBLY of South-Carolina, and as such shall continue until the twenty-first day of October next, and no longer.

II. That the General Assembly shall, out of their own body, elect by ballot, a Legislative Council, to consist of thirteen members, (seven of whom shall be a Quorum,) and to continue for the same time, as the General Assembly.

III. That the General Assembly, and the said Legislative Council, shall jointly choose by ballot, from among themselves, or from the people at large, a President and Commander in Chief, and a Vice-President of the Colony.

IV. That a member of the General Assembly, being chosen and acting as President and Commander in Chief, or Vice-President, or one of the Legislative Council, shall vacate his seat in the General Assembly, and another person shall be elected in his room; and, if one of the Legislative Council is chosen President and Commander in Chief, or Vice-President, he shall lose his seat, and another person shall be elected in his stead.

V. That there be a Privy Council, whereof the Vice-President of the Colony shall of course be a member and President of the Privy Council, and that six other members be chosen by ballot, three by the General Assembly, and three by the Legislative Council. Provided always, that no officer of the army or navy, in the service of the continent, or of this Colony, shall be eligible. And a member of the General Assembly, or of the Legislative Council, being chosen of the Privy Council, shall not thereby lose his seat in the General Assembly, or Legislative Council, unless he be elected Vice-President of the Colony; in which case, he shall: and, another person shall be chosen in his stead. The Privy Council (of which four to be a quorum) to advise the President and Commander in Chief, when required; but he shall not be bound to consult them, unless in cases after mentioned.

VI. That the qualifications of the President and Commander in Chief, and Vice-President of the Colony, and members of the

Legislative and Privy Council, shall be the same as of members of General Assembly: and on being elected, they shall take an oath of qualification in the General Assembly.

VII. That the legislative authority be vested in the President and Commander in Chief, the General Assembly, and Legislative Council. All money bills for the support of government, shall originate in the General Assembly; and shall not be altered, or amended by the Legislative Council, but may be rejected by them. All other bills and ordinances may take rise in the General Assembly or Legislative Council, and be altered, amended, or rejected by either. Bills, having passed the General Assembly and Legislative Council, may be assented to, or rejected by the President and Commander in Chief; having received his assent, they shall have all the force and validity of an act of General Assembly of this Colony. And the General Assembly and Legislative Council, respectively, shall enjoy all other privileges, which have at any time been claimed, or exercised by the Commons-House of Assembly: but, the Legislative Council, shall have no power of expelling their own members.

VIII. That the General Assembly and Legislative Council, may adjourn themselves respectively, and the President and Commander in Chief shall have no power to adjourn, prorogue, or dissolve them; but may, if necessary, call them before the time to which they shall stand adjourned. And, where a bill has been rejected, it may, on a meeting after an adjournment, for not less than three days, of the General Assembly and Legislative Council, be brought in again.

IX. That the General Assembly and the Legislative Council, shall each choose their respective Speakers, and their own officers, without control.

X. That if any member of the General Assembly, or of the Legislative Council, shall accept any place of emolument, or any commission, (except in the militia,) he shall vacate his seat, and there shall thereupon be a new election; but he shall not be disqualified from serving, upon being re-elected.

XI. That on the last Monday in October next, and the day following, and on the same days of every second year thereafter, members of the General Assembly shall be chosen, to meet on the first Monday in December then next, and continue for two years, from the said last Monday in October. The General Assembly, to consist of the same number of members as this Congress does; each parish and district having the same representatives as at present, viz.

The Parishes of St. Philip and St. Michael, Charlestown, thirty members.

The Parish of Christ Church, six members.

The Parish of St. John, in Berkley county, six members.

The Parish of St. Andrew, six members.

The Parish of St. George, Dorchester, six members.

The Parish of St. James, Goose-Creek, six members.

The Parish of St. Thomas and St. Dennis, six members.

The Parish of St. Paul, six members.

The Parish of St. Bartholomew, six members.

The Parish of St. Helena, six members.

The Parish of St. James, Santee, six members.

The Parish of Prince George, Winyah, six members.

The Parish of Prince Frederick, six members.

The Parish of St. John, in Colleton county, six members.

The Parish of St. Peter, six members.

The Parish of Prince William, six members.

The Parish of St. Stephen, six members.

The District to the Eastward of Watteree River, ten members.

The District of Ninety-Six, ten members.

The District of Saxe-Gotha, six members.

The District between Broad and Saluda Rivers, in three Divisions, viz.

The Lower District, four members.

The Little River District, four members.

The Upper or Spartan District, four members.

The District between Broad and Catawba Rivers, ten members.

The District called the New Acquisition, ten members.

The Parish of St. Matthew, six members.

The Parish of St. David, six members.

The District between Savannah River, and the North Fork of Edisto, six members.

And the election of the said members shall be conducted, as near as may be, agreeable to the directions of the election-act; and where there are no churches or church-wardens in a district or parish, the General Assembly at some convenient time, before their expiration, shall appoint places of election, and persons to receive votes, and make returns. The qualification of electors shall be the same as required by law; but persons having property, which according to the rate of the last preceding tax, is taxable at the sums mentioned in the election act, shall be entitled to vote, though it was not actually taxed, having the other qualifications mentioned in that act. Electors, shall take an oath of qualification, if required by the returning officer. The qualification of the elected to be the same, as mentioned in the election act, and construed to mean clear of debt.

XII. That if any parish or district, neglects or refuses, to elect members, or, if the members chosen do not meet in General Assembly, those who do meet, shall have the powers of the General Assembly. Not less than forty-nine members shall make a house to do business; but the Speaker, or any seven members, may adjourn from day to day.

XIII. That as soon as may be, after the first meeting of the General Assembly, the President and Commander in Chief, a Vice-President of the Colony, and Privy Council, shall be chosen in manner and for the time above mentioned; and, till such choice shall be made, the former President and Commander in Chief, and Vice-President of the Colony, and Privy Council, shall continue to act as such.

XIV. That in case of the death of the President and Commander in Chief, or his absence from the Colony, the Vice-President of the Colony shall succeed to his office, and the Privy Council shall choose out of their own body, a Vice-President of the Colony. And in case of the death of the Vice-President of the Colony, or his absence from the Colony, one of the Privy Council, to be chosen by themselves, shall succeed to his office, until

the nomination to those offices respectively, by the General Assembly and Legislative Council, for the remainder of the time for which the officer so dying or being absent was appointed.

XV. That the Delegates of this Colony in the Continental Congress, be chosen by the General Assembly and Legislative Council, jointly by ballot in the General Assembly.

XVI. That the Vice-President of the Colony and the Privy Council, or the Vice-President and a majority of the Privy Council, for the time being, shall exercise the powers of a Court of Chancery. And there shall be an Ordinary, who shall exercise the powers heretofore exercised by that officer in this Colony.

XVII. That the jurisdiction of the Court of Admiralty, be confined to maritime causes.

XVIII. That all suits and process depending in any courts of law or equity may, if either party shall be so inclined, be proceeded in and continued to a final ending, without being obliged to commence *de novo*. And the Judges of the courts of law shall cause jury-lists to be made, and juries to be summoned as near as may be, according to the directions of the acts of the General Assembly in such cases provided.

XIX. That Justices of the Peace shall be nominated by the General Assembly and commissioned by the President and Commander in Chief, during pleasure. They shall not be entitled to fees, except on prosecutions for felony; and, not acting in the magistracy, they shall not be entitled to the privileges allowed to them by law.

XX. That all other judicial officers, shall be chosen by ballot jointly by the General Assembly and Legislative Council; and except the Judges of the Court of Chancery, commissioned by the President and Commander in Chief, during good behaviour; but shall be removed on address of the General Assembly and Legislative Council.

XXI. That the Sheriffs, qualified as by law directed, shall be chosen in like manner, by the General Assembly and Legislative Council, and commissioned by the President and Commander in Chief for two years only.

XXII. That Commissioners of the Treasury, the Secretary of the Colony, the Register of Mesne Conveyances, Attorney-General, and Powder Receiver, be chosen by the General Assembly and Legislative Council jointly by ballot, and commissioned by the President and Commander in Chief during good behaviour; but shall be removed on address of the General Assembly and Legislative Council.

XXIII. That all field-officers in the army, and all captains in the navy, shall be by the General Assembly and Legislative Council chosen jointly by ballot, and commissioned by the President and Commander in Chief; and that all other officers in the army and navy shall be commissioned by the President and Commander in Chief.

XXIV. That in case of vacancy in any of the offices above directed to be filled by the General Assembly and Legislative Council, the President and Commander in Chief, with the advice and consent of the Privy Council, may appoint others in their stead, until there shall be an election by the General Assembly and Legislative Council to fill those vacancies respectively.

XXV. That the President and Commander in Chief, with the advice and consent of the Privy Council, may appoint during pleasure, until otherwise directed by resolution of the General Assembly, and Legislative Council, all other necessary officers, except such, as are by law directed to be otherwise chosen.

XXVI. That the President and Commander in Chief, shall have no power to make war or peace, or enter into any final treaty, without the consent of the General Assembly and Legislative Council.

XXVII. That if any parish or district shall neglect to elect a member or members on the day of election, or in case any person

chosen a member of the General Assembly shall refuse to qualify and take his seat as such, or die, or depart the Colony, the said General Assembly shall appoint proper days for electing a member or members of the said General Assembly in such cases respectively. And on the death of a member of the Legislative or Privy Council, another member shall be chosen in his room, in manner above mentioned for the election of members of the Legislative and Privy Council respectively.

XXVIII. That the resolutions of the Continental Congress now of force in this Colony, shall so continue until altered or revoked by them.

XXIX. That the resolutions of this, or any former Congress of this Colony, and all laws now of force here, (and not hereby altered,) shall so continue, until altered, or repealed by the Legislature of this Colony, unless where they are temporary; in which case, they shall expire at the times respectively limited for their duration.

XXX. That the Executive Authority be vested in the President and Commander in Chief, limited and restrained as aforesaid.

XXXI. That the President and Commander in Chief, Vice-President of the Colony, and Privy Council respectively, shall have the same personal privileges, as are allowed by act of Assembly to the Governor, Lieutenant-Governor and Privy Council.

XXXII. That all persons now in office, shall hold their commissions until there shall be a new appointment in manner above directed; at which time, all commissions not derived from authority of the Congress of this Colony, shall cease and be void.

XXXIII. That all persons, who shall be chosen and appointed to office, or to any place of trust, before entering upon the execution of office, shall take the following oath:

I, A. B., do swear, that I will to the utmost of my power, support, maintain, and defend, the Constitution of South-Carolina, as established by Congress on the 26th day of March, one thousand

seven hundred and seventy-six, until an accommodation of the differences between Great Britain and America shall take place, or I shall be released from this oath by the legislative authority of the said Colony. So help me God.

And all such persons, shall also take an oath of office.

XXXIV. That the following yearly salaries be allowed to the public officers undermentioned:

The President and Commander in Chief, nine thousand pounds.

The Chief Justice, and the Assistant Judges, the salaries respectively, as by act of Assembly established.

The Attorney-General, two thousand and one hundred pounds, in lieu of all charges against the public, for fees on criminal prosecutions.

The Ordinary, one thousand pounds.

The three Commissioners of the Treasury, two thousand pounds each.

And all other public officers shall have the same salaries, as, are allowed such officers respectively, by act of assembly.

BY ORDER OF THE CONGRESS.

March 26, 1776.

WILLIAM HENRY DRAYTON, *President.*

Attested.

PETER TIMOTHY, *Secretary.*

CHAPTER XIV.

Events are noticed, which took place in Georgia, and North-Carolina; during the latter part of the year 1775, and commencement of the year 1776—The magazine at Savannah in Georgia is broken open; and the powder carried away—Sir James Wright, Governor of Georgia, issues a proclamation thereon—The cannon are thrown down the bluff at Savannah—Council of Safety appointed—No asylum allowed—The Council of Safety of South-Carolina, write to the Council of Safety at Savannah—Stephen Drayton and William Ewen, two members of the Council of Safety at Sacannah, are sent as delegates to Charlestown, to explain certain measures—Answer of the Charlestown Council of Safety; and an offer of aid—Col. Stephen Bull is ordered to hold 200 men in readiness, to assist the Georgians—Messrs. Lowndes, Parsons, and Savage, are sent on a special deputation to Georgia—They return and report—British ships of war at Tybee near Savannah—Col. Bull is ordered to reinforce his detachment, and to march with them to Savannah—Sir James Wright, Governor of Georgia, is taken into custody; and preparations are made, to obstruct the approach of the British vessels of war—Governor Wright escapes from confinement; and takes refuge on board of the British shipping—From thence, writes a letter to his Privy Council at Savannah—The Georgia Council of Safety pass certain resolutions; and issue

orders, to enforce their execution—The Georgia Council, pass further resolutions; and issue a proclamation—The Provincial Congress of So. Carolina, return thanks, to the Georgians—Major Bourquin, with a detachment of South-Carolina militia, arrive at Savannah—Proceedings of the enemy—The Georgia and Carolina troops take post at Yamacraw—Hostilities take place—The British retreat—Several merchant vessels are set on fire by the Georgians, which are consumed with their cargoes—A few merchant vessels, escape to sea, with their cargoes—Col. Bull arrives at Savannah, with the remainder of the South-Carolina troops—The object of his expedition, explained—His conferences with the Georgia Council of Safety—Their confidence in him—He takes command of all the united troops—Col. Stirk dismantles the merchant vessels; which having cargoes on board, were preparing for sea—A Packet arrives at Tybee from England, bringing a late act of parliament, and a proclamation of the King thereon—Intelligence thereof is forwarded to the Council of Safety at Charlestown—Col. Bull, returns to South-Carolina, with the troops under his command—The Provincial Congress return him thanks—North-Carolina affairs—Governor Martin's intrigues, excite an insurrection—The royal standard, is raised by the Insurgents—They march, towards Wilmington; are defeated, and dispersed.

BEFORE we proceed farther in the events of the new year, it is necessary those which took place in Georgia and North-Carolina, connected somewhat with the proceedings of this Colony, should be noticed.

On the night of the 11th of May 1775, Noble Wimberly Jones, Joseph Habersham, Edward Telfair,

William Gibbons, Joseph Clay, John Milledge, and some other persons, broke open the magazine at Savannah in Georgia, at a late hour, and took out the powder which was therein. A part of this was sent for safe keeping to Beaufort in this Colony; and the rest, was secreted by the individuals, who had taken it from the magazine. Sir James Wright, Governor of Georgia, immediately issued a proclamation, offering a reward of one hundred and fifty pounds sterling for apprehending the offenders, and for bringing them to punishment; but no person who was acquainted with the proceedings, would disclose the same. After this, on the 1st of June, his Excellency ordered preparations to be made, for celebrating the 4th day of June, which was his Majesty's (George III.) birth day; but on the night of the 2d June, a party of the inhabitants of Savannah spiked up the cannon on the battery, and threw them down the bluff of Savannah River: some of them were afterwards got up and drilled; with which, the usual ceremonies were performed.

About the 21st of June 1775, a Council of Safety was appointed at Savannah, consisting of William Ewen, William Le Conte, Bazil Cooper, Samuel Elbert, William Young, Elisha Butler, Edward Telfair, John Glenn, George Houston, George Walton, Joseph Habersham, Francis H. Harris, John Smith and John Morel; William Ewen was chosen President—and Seth John Cuthbert, Secretary. From the deliberations of this board, there soon resulted a resolution, that Georgia would not afford protection to, nor become an asylum for, any person or persons whomsoever; who from their conduct should be considered as inimical to the American cause; or, who should have drawn upon themselves, the disapprobation or censure, of any of the Colonies.

In this year, Georgia had acceded to the American Association;* but those who were reluctantly dragged into it, were still so actuated by private views, as to lose sight of the principal objects, for which they had so associated. A conduct of this nature, so injurious to the common cause, was the common subject of conversation in Charlestown; and a belief thence arose, that Georgia was on the point of recommencing exportation to Great Britain. On this, on the 14th December[†] 1775, the Council of Safety of South-Carolina, wrote to the Council of Safety of Georgia, expressing their “astonishment and concern, that several vessels are loading at Savannah for Great Britain; some with rice, and others (one in particular of Mr. T——’s) with indigo;” and remonstrating against such proceedings.

On the 29th of December, Stephen Drayton, and William Ewen, two members of the Council of Safety in Savannah, by their order attended the Council in Charlestown; to explain the conduct of Georgia respecting exportation, “in order that all unfavorable mistakes, jealousies, and animosities, may be prevented and removed;” and they presented some proceedings of their General Committee on the subject. In these, they admitted they were bound by the continental resolutions; but, as there were some vessels in their several ports, “which are partly loaded, and some already cleared out in the custom-houses, under faith of the general continental Association; it is therefore provided, that the said foregoing resolutions shall not extend to prevent the completion of their lading,

* See the proceedings of the Continental Congress for the month of July 1775, in the last part of Chapter XII; also, the London Remembrancer, Part I for 1775; from page 5, to page 22.

† See Appendix to this Chapter, No. I.

and sailing in terms of their respective clearances.” The proceedings farther showed, that upon application from their Council of Safety, to reconsider the resolves received from the Continental Congress, and the resolve of the committee thereon, they “Resolved, That such vessels who are now cleared out for Europe, in this province, shall not proceed to sea, till the return of the deputation from South-Carolina.”*

On the first of January 1776, the Council of Safety of Carolina answered the Georgia Delegates, as to the light in which they viewed those transactions; and, as to the line of conduct which they supposed ought to influence the constituted authorities of Georgia: and an offer of aid was made to them, for enforcing a due observation of the Continental Association.†

In consequence of this offer of aid, to enable them to enforce an observance of the Continental Association; the Council of Safety of this Colony, on the 19th day of January 1776, ordered Colonel Stephen Bull to hold two hundred men “in constant readiness to fly to their assistance, upon the first call.” The affair now rested, until the 14th February; when, not having had recent advices from Philadelphia, as to the continental non-exportation, and whether it were extended beyond the first day of March, which was the time mentioned; and it being expected, such a step would be taken; the Provincial Congress of South-Carolina by a resolution extended it to the first of May ensuing, “unless an authentic account of the determination of the Continental Congress relative to exportation after the first day of March, shall be sooner received.” And the President of Congress was directed to recommend a similar resolution, to the Conventions

* See Appendix, No. II.

† Ibid.

of Georgia, and North-Carolina. A special deputation also of Mr. Lowndes, Mr. Parsons, and Captain Thomas Savage, was sent to Georgia with the letter; and to urge the recommendation, which it contained. These gentlemen, having proceeded on their mission, returned from Georgia to Charlestown; and on the 1st of March they reported, “that having found the Congress of that Colony dissolved, they made every representation to the Council of Safety, to induce them to co-operate with this Colony, in continuing the non-exportation resolution of the Continental Congress; that the Council represented to them the great opposition in Savannah, to the measures of Congress, which had not entered into any decisive resolve on that head; but that *they* would do every thing in their power, to co-operate with us: and in short, that it was their opinion, unless this Colony interfered in a forcible manner, exportation would speedily take place.” In addition to this, Mr. Bullock on the 15th of February, had written a confidential letter to Colonel Laurens; lamenting, that there were “but few righteous souls among them;” that, “a panic” seemed to have “run among the people;” (there being then at Cockspur,

	<i>Guns.</i>	<i>Seamen.</i>	<i>Marines.</i>
The Scarborough,	20	120	25
Syren,	28	150	40
Tamer,	18	80	20
Raven,	18	80	20
Cherokee,	10	50	
A Cutter,	8	40	
A Sloop,		12	
Pilot-Boat,		12	

threatening an attack if not supplied with provisions; and offering their aid to the merchant ships ready to sail.) That he wished for assistance from Carolina

“to overawe such men, as would sell their birth-right for a mess of pottage;” and he concluded, that it was his opinion, that if this Colony did not exert herself in their favour, they were “an undone people.” This letter had been received, but a few days before, Mr. Lowndes and Mr. Parsons returned from Savannah, and was of itself information of great importance; but their report confirmed and added to the same; and pointed out the necessity of aid to the Georgia patriots. Hence, the Congress immediately ordered Col. Bull to reinforce his detachment (which had been ordered to be in readiness,) from the most convenient parts of his regimental district, (including the draught already ordered from Charlestown,) as he should think proper. And Colonel Pinckney was also ordered to detach, not exceeding one hundred men, such as should offer themselves volunteers, from the militia then in Charlestown; and cause them to be conveyed or marched to Savannah, there to join the forces, under the orders of the commanding officer from this Colony. After which, proper instructions* being delivered to Colonel Bull; he immediately sat out, to collect his troops, and to march agreeably to the orders he had so received: being provided with two thousand pounds, for that special service. It so happened, that about this time a call from the Georgians for aid arrived;† which placed the Congress much at ease, as to the purposes for which, the expedition had been ordered to proceed.

There had been always a strong opposition in Georgia, to American measures; they were on the point of openly violating them, when they were admonished by the Council, in the middle of December,

* See Appendix, No. III.

† See London Remembrancer for 1776, Part II. page 22.

and beginning of January: and, before they could form any rules of conduct after the return of their delegates on that subject, the Tamer and Cherokee blocked up their port; and they were afterwards joined by the Scarborough, Syren, Raven, and other vessels of war. This, suspended their ideas of trade; and the patriots availed themselves of the occasion to prepare for defence; while the timeservers, were afraid of opposing them. They nevertheless, were watching opportunities: being ready to take advantage of events, and of such aid, as the men of war could afford; and who had sent to St. Augustine, for troops, for that purpose.

About the 18th or 20th of January 1776, the Provincial Congress of Georgia took into custody his Excellency Governor Sir James Wright; with a view of preventing his intrigues, and as a hostage against hostilities from the British vessels of war. They sunk hulks, for preventing the approach of the shipping—erected a battery at the Trustee's gardens—and called (Jan. 21st) upon South-Carolina for two hundred men, having then about three hundred of their own militia from the country, on duty in Savannah. In addition to this, they required the return of the 5000 pounds of gun-powder, which South-Carolina had borrowed from them. About this time, the sailing of the Syren, led the Georgians to hope their danger was lessened; in consequence of which, they sent to Major Bourquin, who was on his march from this Colony with the advance troops to their aid, not to proceed: and he accordingly halted at Purrysburgh. The impatience, however, of the Georgia militia, did not allow their remaining long at Savannah; and many of them having gone home, “things appeared so gloomy,” to the “town and Congress,” that they declared that Colony in a state of alarm; and sent to all parts.

to call in a portion of their militia; they also sent to Major Bourquin, for his immediate assistance: and he accordingly proceeded to Savannah with about one hundred and thirteen men. In the mean time, Gov. Wright had been paroled to his house; but getting alarmed at the public measures, and assisted by John Mulryne, he effected his escape from the back part of his residence, on the night of the 11th February; and going down Savannah River to Bonaventure, where Mulryne lived, he there met a boat and crew in waiting for him: by which, passing through Tybee Creek, he arrived on board of the Scarborough man of war, on the 12th of February, about 3 o'clock in the morning. From thence, on the 13th February, he addressed a letter to his Privy Council, stating the reasons of his departure; assuring, that the King's ships meant no injury to the town—that Captain Barclay would give every assistance in his power, for expediting the merchant vessels, which were laden and ready for sea—that water was wanted, and would be sent for next day, to Four-Mile Point—and finally, offering the olive branch and pardon to the Georgians, in case they would faithfully return to his Majesty's allegiance.

It was after these proceedings in Savannah, that the Carolina deputation arrived there, to urge the continuation of the general embargo; but the Georgia Councils were so fluctuating, that the deputation received little satisfaction. The deputies had but returned to Charlestown, when the patriots in the Georgia Council of Safety, partly by perseverance—partly by holding out a prospect of indemnification—and aided by the presence of the Carolina troops under Major Bourquin—on the first of March, passed resolutions, that no ships loaded with rice, or any other article of produce, should be permitted to sail, without

leave of the Council of Safety, or the next Provincial Congress; except such vessels, as were or should be permitted to sail, for the purpose of procuring the necessary means of defence; that in case any loss should be sustained by such detention, the delegates for Georgia should be instructed to apply to the Continental Congress for reimbursement; that the rudders be unshipped, and the rigging and sails taken away from the several vessels riding in the port of Savannah; and orders were issued to Colonel Lachlan M'Intosh, to enforce the execution of the same.* From some cause, however, the order of the Council of Safety on this subject, was not executed. Upon which, a farther aid of men from South-Carolina was requested; an attack from the men of war being apprehended, in consequence of the resolutions. This, gave the appearance of Col. Bull's march, which commenced about this time, to be in consequence of this call; and not what it really was, a force sent to cause an embargo in Georgia; and to support the exertions of the vigorous part of their Council of Safety, and Provincial Congress.

On the 2d of March the Georgia Council resolved, that the houses in Savannah, and the shipping belonging to all those who should come forth, on the alarm which existed, in defence of the same, as friends of America, and the houses of widows and orphans, should be valued and appraised; that the delegates from that Colony, should be instructed to apply to the Continental Congress, for indemnification to such person, who should suffer in his houses or shipping, in defending the town; that such persons, as leave the town during the alarm, should be considered as having deserted their property; and as being precluded from

* See Appendix, No. IV.

indemnification; that Savannah should be defended so long as it was tenable; and, that rather than the same should be occupied by the enemy, the town and shipping should be burnt and destroyed. They also issued a proclamation, requiring all persons holding any property in the town of Savannah, to repair to headquarters at that place, for defending the same; on pain of suffering all the consequences, resulting from the said resolutions.* Copies of these papers, were immediately transmitted by the Council of Safety of Georgia, to the Council of Safety of this Colony: which being laid before the Provincial Congress gave such satisfaction, that the Congress, on the 5th of March, Resolved “That the unanimous thanks of this Congress be returned, by Mr. President, to the Council of Safety of Georgia, in terms of the highest approbation, of their noble and spirited conduct.”†

Although the Georgians had been using all means in their power to collect their militia, yet the number was scarce three hundred which obeyed the summons; and of these, many of them were without arms; and others had their arms in such bad order, as to be in a great measure useless: in addition to which, they often laid hold of trifling occasions, to express their impatience and discontent. To add to these embarrassments, the number of citizens remaining in Savannah, capable of bearing arms, was very inconsiderable. Hence, Major Bourquin and his troops, seemed their only defence, at Savannah; while forty Carolinians guarded the Georgia powder, and records at Ebeneezer.

* See Appendix, No. V.

† See the official letter which was written on the occasion, by William Henry Drayton, President of the Provincial Congress of South-Carolina, as published in the London Remembrancer, for 1776, Part II. p. 243, 244.

By collusion with the masters and crews of the merchant ships lying in the river opposite to Savannah, the enemy, in the night between the 2d and 3d of March, conveyed from the Back River and across Hutchinson's island, about one hundred and ninety troops, who had arrived from St. Augustine; who concealed themselves among the shipping, without being discovered. And having found a sufficient depth of water in Back River behind Hutchinson's island, they sent forward two of their light vessels, with a view of passing up and around that island; and then proceeding down the river, for purposes of co-operation. Matters were thus situated, when about 9 o'clock of the 3d of March, a boat was sent from the town, to order the rigging of the vessels on shore. The boat and party, were immediately secured, without any noise; nor was it known in the town until half an hour after—when two sailors coming ashore under some pretence, discovered the same: also, that British troops were on board the ships. At this information, between two and three hundred troops, with three 4-pounders, were immediately marched to Yamacraw opposite the ships; where, they threw up a breast-work.

On the preceding evening, the schooner Hinchinbrook of eight guns, had proceeded up Back River; and entering Savannah River, she now got under way down the same, for the purpose of supporting the movements of the British troops. But, grounding opposite Rae's-Hall, she was fired upon by a party of riflemen, under the command of Major Joseph Habersham; and she might have been taken, had boats been convenient for carrying a detachment on board for that purpose. With the flood tide, however, she again floated, and retired to the station, from whence she had come. During the course of this

firing, only one of the riflemen was wounded; but on board, several were seen to fall.

While this was going on up the river, the troops in the town became clamorous, respecting the detention of the boat-party: and Lieutenant Roberts of the St. John's Rangers, and Mr. Raymond Demere, on their own solicitation, were permitted to go with a flag, and demand their delivery. Divesting themselves of arms, and getting into a canoe, they were conveyed by a Negroe to one of the vessels, on board of which were Captain Barkley, commanding the men of war—and Major Grant, commander of the land forces: but instead of giving them any redress, they also, were put into confinement. After half an hour's waiting, the people on shore demanded, through a speaking trumpet, their messengers who were detained; but receiving only insulting answers, they fired two 4-pounders at the ships. The British then sent a paper signed by Roberts and Demere, stating that if two persons in whom the people most confided were sent on board, they should be treated with. Upon this, Captain Scriven of the St. John's Rangers, and Captain Baker of the St. John's Riflemen, taking a dozen armed men with them, embarked in a boat, and went directly under the stern of Captain Inglis' ship, having many British soldiers on board; and, peremptorily demanded the messengers. On this occasion, a gun was rashly fired from the boat into the ship; which brought down upon them, a fire of small arms and swivels. A retreat, immediately took place; and the fire was kept up on the boat, from which it was also returned: during which, one man was slightly wounded, and the boat was nearly sunk.

A general fire from the breast-works, was now opened on the shipping; which, was briskly returned

by musketry, swivels, and two 4-pounders: continuing from 12 to 4 o'clock. At this time, orders were issued to fire the vessels; and the Inverness, laden with deer-skins and rice, was actually set in flames, and cut loose from her moorings. This fire-ship drifting towards the enemy, put them into confusion: and the soldiers and officers got on shore as fast as they could — flying across Hutchinson's Island, under a play of cannon and musketry from the town. The shipping also, were in confusion, and got under way; when some proceeded up the river, to the protection of the Hinchinbrook; while others caught the flames, and were consumed.* In this retreat, the enemy fled along the rice-field banks in such haste, that they left two field-pieces behind them; which were afterwards carried to them, by Mr. Graham's Negroes. During all this fire, the Americans had only two men slightly wounded; and the loss of the enemy, was very inconsiderable. Four merchant ships were burnt; and others getting into Back River, got aground. The Georgians, however, did not press the British troops, or the vessels farther; and upon the application of the enemy, a cessation of arms took place. This, was taken advantage of by the shipping; and lightening themselves of part of their cargoes, some of them escaped through Back River, and arrived safely at Cockspur, to the protection of the British vessels of war, which were riding between that and Five Fathom Hole. The rest which escaped the flames, and remained in Savannah River, were 2 ships, 5 brigs, 2 sloops, and 1 schooner.

While these transaction were taking place, Colonel Bull was on his march with about two hundred and

* See an account of this affair, in the London Remembrancer, for 1776, Part II. page 20.

fifty men, to join Major Bourquin, at Savannah. And the German Fuzileers and Light Infantry from Charlestown, having joined him at Purrysburgh on the 10th of March; he proceeded from thence with his command, on the next day, down Savannah River, some of his boats, being armed with swivels,* and, in the afternoon, the troops disembarked at Mr. Kincaid's plantation, nine miles above Savannah, and from thence marched into that town. At this time, Col. Bull had under his command in Georgia, of Carolina troops, about four hundred, officers and men included, at Savannah; and forty at Ebeneezer, who remained there, as a guard for the public powder and records. Besides which, there were some Georgia militia; and about seventy men of the Creek and Euchee Indians.†

The principal object of Col. Bull's expedition to Georgia, was to give efficiency to the designs of the patriots—to awe the disaffected—to support the continental regulations—and, in particular, to prevent the merchant ships, from proceeding to sea. So soon, therefore, as he arrived in Savannah, he hastened to have a conference with the Council of Safety; at whose request, he posted guards in Savannah and its vicinity. And as the vessels, preserved from the enemy and the fire, had not been unrigged, Col. Bull lost no time in taking measures to prevent their proceeding to sea.‡ For this purpose, he met a full board of the

* See Appendix, No. VI.

† See London Remembrancer for 1776, Part II. pages 333, 334.

‡ The following vessels were then riding in Savannah River, near the town, having either full, or partial cargoes on board:

Ships Unity, Captain Wardell, 700 barrels of rice.

Georgia Packet, Captain Inglis, 500 do.

Brig Amity, —, ash and live oak.

Council of Safety, on the 13th of March; when he pressed the matter touching the shipping, and the necessity of decided measures for preventing their departure. He told them, as such service was to be performed in their Colony, it was more appropriate they should cause it to be executed by their own men; and if necessary, he would support them against any opposition. After some deliberation, they sent him an order as Commander in Chief; desiring he would immediately have the vessels unrigged, and their rudders unhung;* upon which, he reminded them of what he had said, on the propriety of *their* doing that service: and as it was rumoured about by ill-disposed persons, the Carolinians had taken possession of Savannah; he also added, that his performing that service, would afford some ground for the aspersion to rest upon; while it would lessen the Council, in the eyes of their own people. He also brought to their view, that by their doing it themselves, there would be a greater appearance of unanimity in the Colonies—and, that Georgia was not so backward, as had been suspected. With the propriety of this reasoning, the Council were at length satisfied; and they issued orders to Lieut. Col. Stirk, to execute the service of dismantling the vessels. This he accordingly did with about forty of the Georgia militia. To guard however against any prevention, Col. Bull kept his own men ready at their quarters; and had a few persons among those under Col. Stirk's orders, to assist in the unrigging; and to see, that the service was fully performed.

Brigs Rebecca, Captain Rutherford, lumber.

Sorick, Captain Steel, ballast.

Beaufort, Captain Wood, ballast.

Fair Lady, Captain Robertson, 30 hds. tobacco.

Schooner Race-Horse, Captain Burch, ballast.

* See Appendix, No. VII.

While these matters were transacting, a Packet arrived from England on the 13th of March at Cockspur Roads; and the letters coming to persons not suspected of being friends to liberty, were allowed to be brought up to Savannah. With these, also came an act of parliament which had passed on the 21st December 1775, declaring all seizures of the persons and properties of, and damages done to, the American colonists before the passing of the said act, from Massachusetts-Bay to Georgia inclusive, to be legal: declaring also, the said Colonies to be in actual rebellion; and, to prohibit all trade and intercourse with them. By the same conveyance also, arrived the King's proclamation of the 22d day of December 1775; declaring all vessels and cargoes (the property of the colonists) lawful prize, and apportioning the rates of prize money. Intelligence of these measures, of the British government, were communicated to the Council of Safety at Charlestown, by Col. Bull's dispatch of the 15th of March: and the Council of Safety at Savannah sent copies of the above instruments soon after, to the Council at Charlestown. At this time, Col. Bull had about three hundred men, including officers, with him at Savannah.*

The vessels being dismantled, and the enemy disappearing, there was no farther occasion for Col. Bull's services in Georgia. Opposition to patriotic measures was put down—and the true friends of liberty, hastened to avail themselves of the opportunity; in strengthening their councils, and in organizing means of public defence. With the good wishes of those whom he had so essentially served, Col. Bull therefore took his departure with the troops under his command; and after discharging them in South-Carolina, he re-

* See Appendix, No. VIII.

paired to Charlestown, and gave an account of the matters, with which he had been entrusted. After which, the Provincial Congress on the 24th day of March 1776, Resolved, “That the thanks of this Congress be returned to Stephen Bull, Esq. of Sheldon, Colonel of the Granville county regiment of militia; for his important services, in the command of the Colony forces in Savannah; and that he be desired to signify their thanks, to the officers and men, then under his command.”*

While these things were transacting in Georgia on one side of this Colony, North-Carolina was not without its troubles on the other. For, although Gov. Martin had abandoned his government in that province; yet his plans of co-operation with a royal fleet and army on the coast, had not been laid aside. Towards this end, Governor Martin had addressed himself to the Highland Emigrants at Cross-Creek, a Scotch settlement in the upper parts of North-Carolina; also to a set of lawless men styled Regulators, for having on certain occasions assumed the right of punishing obnoxious individuals, by their own authority, and in a summary manner. Among these people, he sent commissions for raising and commanding troops: appointing M'Donald Brigadier General, and M'Leod Lieutenant-Colonel. He also furnished them with a proclamation, commanding all persons on their allegiance, to repair to the Royal Standard.† A Council of Regulators and Highlanders was also formed to aid this service; by whose advice the subordinate officers, were generally appointed. Thus

* This expedition, cost the state of South-Carolina £6,213 7 6. See South-Carolina Treasury Ledger, large folio, commencing Dec. 31, 1777, page 28, in the Treasury office, Charleston.

† See the London Remembrancer for 1776, Part II. page 29

organized, they awaited the coming of a British force on the coast, as the time of their embodying, and commencing their operations. About this time, the ships of war which had been stationed in Charlestown harbour being driven away, they repaired to the roads off Tybee in Georgia; where, during the months of January and February, their force was increased by men of war, and land troops. Whether this appearance of force, now roused them into action—whether the time had arrived, when a body of the King's troops was expected to be landed on the coast—or, whether it was necessary to embody themselves, as the only means of keeping steady in their intention—to one, or all of these causes, the Insurgents no longer kept aloof; but broke out into open insurrection—raised the Royal Standard—and gave publicity to the proclamation.

However secretly these operations had been carried on, they were not unknown to the constituted authorities of North-Carolina; and so soon, as the Insurgents began to embody; Colonel Moore with his own provincial regiment, some militia, and five field-pieces, put himself in motion, to intercept their progress from Cross-Creek to Wilmington; and with this view, he marched along the North-West River of Cape Fear, without meeting them; they embodying at Cross-Creek. At Rockfish Creek, not many miles from thence, he at length arrived on the 15th of February, and taking possession of the bridge across that stream, he prepared to dispute their passage over it. He had not been there long, when Gen. M'Donald approached with an army of about fifteen hundred men; on which, he sent Col. Moore a letter enclosing the Governor's proclamation, advising him to join the King's Standard, or be treated as an enemy. But Colonel Moore replied, that he and his officers were engaged in a

glorious and honorable cause, the defence of the liberties of mankind: that, in such a cause, if M'Donald and his army would lay down their arms, they should be received as friends: but otherwise, they should only be met as enemies to public peace, and American liberty.

After this, General M'Donald countermarched; and crossed the North-West River at Campbelltown, intending to proceed by forced marches to Wilmington; for the purpose of making a stand at that town, and of being ready to form a junction with the British troops, who were expected to arrive. In the mean time, Colonels Lillington and Caswell, with some provincial troops, and militia, amounting to about one thousand men, and some field-pieces, took possession of Moore's Creek Bridge, which lay in their way; raising a breast-work, to secure the bridge which was over it.

On the morning of the 27th February 1776, M'Donald took up his march, towards Wilmington; and coming to the bridge, he found nothing but arms and victory could open for him a farther passage. Accordingly, Colonel M'Leod who commanded the attack, pressed forward with the advance upon the entrenchments, which were opposed to his progress on the other side of the bridge: and charging sword in hand, he and most of his men were immediately killed by a heavy fire. The rest, retreated with precipitation, galled by a well-directed fire of artillery and musketry; and communicating their fears to the main body of the Insurgents, a panic arose among them; which defied subordination, and produced a general rout: each one, making the best of his way, to his own home. Gen. M'Donald, with several of his officers were taken prisoners—the insurgent spirit was broken and put

down—and the prospects of an immediate civil war, were happily thereby frustrated.*

Such was the issue of this ill-timed, and rashly conceived enterprize; excited by a Governor who could no longer maintain himself in his government—and taken up by a multitude, who were destitute of the means of defence, or subsistence. Their minds, had been warmed and excited; and their expectations of support by British troops, had been grounded upon assurances, such support would be given; but they were egregiously disappointed. And driven by their own fears and consciences, they skulked about their homes and woods; cursing their own follies, and those of their seducers.

* See particular accounts of this affair, in the *London Remembrancer*, for 1776, Part II. from page 73, to page 78.

APPENDIX

TO

CHAPTER XIV.



No. I.

IN THE COUNCIL OF SAFETY.

Thursday, 13th December 1775.

PRESENT,

Col. Henry Laurens, President.

Hon. Henry Middleton, Hon. Wm. Hy. Drayton,
Mr. John Rutledge, Captain Savage,
Mr. Bee, Mr. Arthur Middleton,
Mr. Thos. Heyward, jun. Dr. Olyphant,
Captain Benjamin Elliott.

The Journal of yesterday being read, Mr. Rutledge laid the following draught of a letter to the Congress or Council of Safety in Georgia before the board.

Charlestowm, 14th December 1775.

GENTLEMEN,

The Council of Safety have heard with astonishment and concern, that several vessels are loading at Savannah for Great Britain; some with rice, and others, (one in particular of Mr. T——'s) with indigo.

It is true, that the Continental Association did not prohibit the exportation of rice to Europe, or of other American produce, (except to Great Britain, Ireland, or the West Indies) after the 10th of last September; so that, shipping rice to Great Britain, before the resolutions of Congress of the 1st ult. (copy of which is enclosed) were known, was allowable. It is to be wished, however, that Georgia had pursued the conduct of the Northern Colonies, all of whom we are assured, in consequence of the late restricting acts, suspended exportation; as this Colony also did, after the 10th of September, (except for purchasing the means of defence) till the sense of the Continental Congress should be declared on that subject: but, with respect to shipping of indigo to Great Britain after that period, they are without excuse.

For the honour of your Colony, and the interest of America, we shall rejoice to know, that a report so disgraceful to the former, and injurious to the latter, is void of foundation. We cannot yet be persuaded, to think it otherwise; for we hope, that the continental resolutions will be as inviolably preserved in your Colony, as in any other: and doubt not, that the disaffected in Georgia, are so few, and the friends of liberty so numerous and powerful, that all attempts of the former to hurt the American cause, will ever prove abortive.

We have, however, thought it expedient, to address you on the subject; beings desirous of obtaining a true account of the matter from the best authority. We therefore request that you will favour us with it, by return of the bearer; and hope it will enable us to remove any ill impressions, which may have been made. But, if unfortunately the fact should be as reported to us; we earnestly entreat, that your Congress, Council of Safety, or General Committee, will take the most effectual measures for preventing so flagrant a breach of the Continental Association, and resolutions.

We have been applied to for leave to clear out vessels, with the produce of this Colony, for Great Britain, *as a cover of safety*, when it was pretended that such vessels should nevertheless proceed directly to a foreign port; and for the express purpose also of procuring ammunition. But, we have refused our assent; and have ordered the committees at the out-ports, to be watchful against such attempts; which, though specious at first view, are full of danger to the common cause: and, might give great encouragement to designing men, to commit frauds. The Congress at Philadelphia, refused such indulgence; even to those whom they had given special license to export.

By order of the Council of Safety.

*The Provincial Congress, or
Council of Safety, Georgia.*

Ordered, that the said letter be immediately engrossed, and sent by express.

□ See Council of Safety's Journal, No. 5

No. II.

IN THE COUNCIL OF SAFETY.

Savannah, December 19th, 1775.

GENTLEMEN,

We received your letter of the 14th instant, respecting exportation; and, as two of our continental delegates had just arrived, we thought proper to defer giving you an answer, until we had consulted them in Council. This we have done, and have deemed it expedient to send Stephen Drayton and William Ewen, Esquires, two of this board, to explain these things to you, in order, that all unfavorable mistakes, jealousies and animosities, may be removed.

By order of the Board.

We have the honour to be, Gentlemen,

Your most obedient servants,

GEO. WALTON, *President.*

*To the hon. the Council of Safety
at Charlestown.*

—

Resolved, That this province is bound by the fore-mentioned resolutions, and should accede to, and abide by the same: but whereas, there being some vessels now in the several ports within this province, which are partly loaded, and some already cleared out in the custom-houses, under faith of the general continental Association: it is therefore provided, that the said foregoing resolutions shall not extend, to prevent the completion of their lading, and sailing, in terms of their respective clearances.*

—

The Council of Safety, observing in the Gazette of this day, the great number of vessels mentioned lately to have cleared out; it

* Copied from the resolve, transmitted from Georgia.

was recommended by the President of the Council of Safety, that this board do re-assume the consideration of the resolves received from the Continental Congress, and the resolve of this Committee thereon; which being done, it was resolved, that such vessels, who are now cleared out for Europe in this province, shall not proceed to sea, till the return of the deputation from South-Carolina.

In General Committee, Dec. 20th, 1775.*

IN THE COUNCIL OF SAFETY.

Charlestown, So. Ca. 1st Jan. 1776.

Mr. Rutledge reported the following answer to the delegates from Georgia, which being read, was agreed to by the Council.

GENTLEMEN,

We have maturely considered what you offered to this board, from the Council of Safety in Georgia; and are sorry to find, that the information which occasioned our letter to them, is so well founded.

You know, that by the Continental associations, no produce of the United Colonies could be exported from any of them, to Great Britain, Ireland, or the West Indies, after the 10th of last September: except rice to Europe. Yet, it appears, that a vessel loaded with Indigo sailed for England from your province, about a month ago. It is said indeed, her clearance was dated before the 10th of September; but, it is admitted, that very little if any of her cargo was then shipped. It also appears, that a vessel at Savannah, is now nearly loaded with indigo, for England; her

* Copied from the resolve, transmitted from Georgia.

clearance also, it is said, bears date before the 10th of September; but, it is confessed, that she did not arrive in your colony till last month. Surely, gentlemen, these acts cannot possibly receive any kind of countenance; such subterfuges to evade the Association, are at least as criminal, as declared and open violations of it. It further appears, that vessels with cargoes laden long since the 10th of September, have sailed from Georgia to Bermuda—this, is all contrary to the Association.

It is pretended indeed, that they were permitted to load, on account of the great scarcity of provisions; from which it was feared, the people on that island might starve if not supplied. But, we apprehend, it is not in the power of any of the colonies to relax the Association from motives of compassion, for the distress of any particular island. Bermuda applied to the Congress for relief, where only, she could properly obtain it: and where, she certainly would—if not inconsistent with the plan which they had adopted. But, if the colonies should severally relax the Association, in favour of that or any other island; such practice might open a door, for supplying many others, or perhaps, all, in the West Indies.

As rice is the only article which the Association allowed to be exported to Great Britain after the 10th of September, it clearly follows, that deer-skins could not be exported; and we are assured that application was made by your delegates to the Continental Congress, for permission to export deer-skins, which was refused.

Now, as to the article of rice, that certainly might have been shipped for Great Britain, after the 10th of September. We cannot, however, forbear observing,

that New-York, and the Lower Counties on Delaware might have shipped their produce to any places, except Great Britain, Ireland, and the West Indies; and that North-Carolina and this province might have exported rice to Great Britain after that time, consistently with the Association, and the restraining act. Yet, they all forbore: and every Colony (yours excepted) suspended exportation, till the sense of Congress should be declared on that head. We are well assured, they made no doubt that Georgia had done so, upon this supposition; for which, from the resolution of your convention respecting the restraining act, they have good grounds to believe the Congress returned thanks to your Colony, as well as to the other privileged colonies, for not taking advantage of the exemptions in that act. However, that you had a right by the Association to export rice to Great Britain after the 10th of September is not denied—and we conceive, that until you had notice of the non-exportation resolution, which you say, was not till the 15th of December, you could not in equity or justice, be bound by it. And therefore, that any cargoes, or parts of cargoes, of rice, which were actually laden for Europe at that time, may be exported—but, no more. Clearing out empty vessels, or vessels partly loaded, when the resolution was known in Georgia, with intent to load or complete their loading afterward, is the same kind of evasion, as clearing out before the 10th of September, and loading indigo afterwards.

We wish, to preserve union between this, and every other colony; particularly, at a time, when it is essentially necessary for the support of American liberty: and are desirous, that your conduct, may appear to all the world, in as favorable a light, as that of any other colony. We are concerned, for what has happened; we have, however, no jealousy, no animosity—we

mean not to arraign or condemn—but, as friends and brethren deeply interested in the events of our common cause, to remonstrate—and, to offer our advice and our assistance if wanted.

How to punish for past offences, and prevent future, seem to be the points, for present consideration. By the Continental Association, persons who violate it, (as those who shipped and exported indigo to England, after the 10th of September, certainly did,) are to be advertised as inimical to the liberties of America; and all dealings or intercourse with them, are to be broken off. But, is this a sufficient terror or punishment to evil-doers? Are not the liberties of America, or at least the safety of the colony, in which, such offenders reside, endangered, by the conduct of men, who are so daring, as to set their country, and the continent at defiance? And, if so, do they not well deserve to be treated as the Congress on the 6th of October last recommended to the several Provincial Conventions or Councils of Safety, viz. "to arrest or secure every person in their respective colonies, whose going at large may in their opinion endanger the safety of the colony, or the liberties of America?" Every colony, may moreover adopt punishments for its own inhabitants violators of the Association, suitable to the degrees of their offence.

We are, gentlemen, unanimously of opinion, and recommend, that all deer-skins, and indigo, shipped since the 10th of September; and all cargoes, or parts of cargoes, of rice, shipped for Europe, since the day when you received the continental resolutions of Nov. 1st, and still in any port or river in Georgia, should be relanded, and not suffered to be exported thither.

The sending away immediately in ballast, vessels which are not admitted to load, would be a good step to prevent fraud or farther trouble with them.

We cannot conclude, without mentioning, that as we think ourselves bound to do our utmost, in support of the friends of liberty in any of the colonies; if you have occasion for assistance, to enforce an observance of the Continental Association and resolutions in your colony; we will, most readily, afford you, all in our power—which, we doubt not, will effectually crush every attempt to infringe them.

We hope our sentiments, will meet with the concurrence of you, gentlemen, and of your colony: and request, that you will communicate them fully on your return, to your Council of Safety, and General Committee—and, to your Provincial Convention, at its next meeting.

In the Council of Safety, 1st Jan. 1776.

By order,

HENRY LAURENS, *President.*

*To Stephen Drayton and William Ewen,
Esquires, Delegates from the Council
of Safety in Georgia.*

 See Council of Safety's Journal, No. 6. page 388.

No. III.

SOUTH-CAROLINA.

BY AUTHORITY OF CONGRESS.

March 2d, 1776.

To Stephen Bull, Esq. Colonel; or to the Commanding Officer for the time being, of the South-Carolina forces, ordered to act, in aid of Georgia.

Whereas, there is reason to apprehend, that attempts will be made to cause the merchant vessels in Savannah River to sail with their cargoes; and, as such a proceeding would be detrimental to the interest of America, it becomes this colony, to aid the friends of America in Georgia, by endeavouring with them effectually to prevent the said vessels sailing with their cargoes. Therefore, you are hereby ordered, under the direction of the Colonel of the continental forces in Georgia, and with the concurrence of the friends of America in that colony, to take post on either side of Savannah River, with the troops under your command; and use every effort in your power, to incapacitate those vessels from proceeding with their cargoes, on their several voyages. And to that end, cause them to be forthwith unrigged, their rudders taken off, and their sails and rudders deposited in some secure place: or, kept under a proper guard.

You are also ordered, under the direction, and with the concurrence aforesaid, to give every aid in your power, for repelling insurrections and invasions there;

and for securing and imprisoning every person in Georgia, whose going at large may be dangerous to the liberties of America, or the security of that colony.

Having executed these orders, you are, either with all or a part of the forces under your command, to return to this colony, or to remain in Georgia, at your discretion; and so to act, under the direction, and with the concurrence aforesaid, as you shall think most advantageous to the American cause; until you shall receive further instructions from the Congress or Council of Safety of this colony; to whom, you are, from time to time, to transmit full information of your proceedings.

By order of Congress.

WILLIAM HENRY DRAYTON, *President.*

No. IV.

IN THE COUNCIL OF SAFETY.

Savannah, March 1st, 1776.

Whereas, the resolution of the honorable the Continental Congress, restraining the exportation of rice from the United Colonies for a time, having expired this day, without any farther or additional restraint, as we know of; it now lies with the Council of Safety for this province, either farther to restrain the exportation, or to permit it. And whereas, a formidable force, both by sea and land, having invaded this province for several weeks past, and it appearing by the arrival of such force, that the cause of the said continental restriction is not removed:

Resolved, therefore, that no ships loaded with rice, or any other article of produce in this province, shall be permitted to sail, without leave of the Council of Safety, or next Congress; except such vessels, as are or shall be permitted to sail for the purpose of procuring the necessary means of defence.

Resolved, that in case any loss shall be sustained by such detention, the delegates for this province shall be instructed to apply to the Continental Congress, to make the reimbursement for such loss a general charge.

Ordered, that the rudders be unshipped, and the rigging and sails taken away and secured, from the several vessels now riding in the port of Savannah.

Orders, to Col. Lachlan M'Intosh.

SIR,

You will enforce, and have executed, the afore-mentioned resolutions and order; the resolution heretofore delivered to you, as of the Council of Safety, being erroneous; and, any permit you may have given in consequence, you will please to recall.

By order of the Council of Safety.

WM. EWEN, *President.*

A true copy from the minutes.

EDWD. LANGWORTHY, *Secretary.*

No. V.

GEORGIA.

IN THE COUNCIL OF SAFETY.

Savannah, 2d March 1776.

For the safety of this province, and the good of the United Colonies, it is unanimously

Resolved, that the houses in the town of Savannah, and the hamlets thereunto belonging, together, with the shipping now in the port of Savannah, the property of, or appertaining to the friends of America, who have associated and appeared, or who shall appear in the present alarm, to defend the same, and also the houses of widows and orphans and none others, be forthwith valued and appraised.

Ordered, that Messrs. Joseph Clay, Joseph Reynolds, John M'Luer, Joseph Dunlap, and John Glenn, or any three of them, be a committee for that purpose; and that they make return of such valuation and appraisement, to the Council of Safety to-morrow morning, nine o'clock, or as soon after as possible.

Resolved, that the delegates for this province, shall be instructed to apply to the Continental Congress, for an indemnification to such persons, who shall suffer in the defence of this town, or shipping.

Resolved, that it shall be considered, as a defection from the cause of America, and a desertion of property, in such persons, who have, and shall leave the town of Savannah, or the hamlets thereto belonging, during the present alarm; and such persons, shall be precluded from any support, or countenance, towards obtaining an indemnification.

Resolved, that it be incumbent upon the friends of America, in this province, to defend the metropolis, as long as the same shall be tenable.

Resolved, that rather than the same shall be held and occupied by our enemies; or, the shipping now in the port of Savannah taken and employed by them; that the same shall be burnt, and destroyed.

Resolved, that orders shall be issued to the commanding officer, directing him to have the foregoing resolution, put in execution.

Resolved, that the foregoing resolutions, and also, the following proclamation, be forthwith made public.

A true copy from the minutes. **EDWD. LANGWORTHY, Sec'y.**

GEORGIA.

IN THE COUNCIL OF SAFETY.

Savannah, 2d March 1776.

A PROCLAMATION.

Whereas, many householders in the town of Savannah, and the hamlets thereunto belonging, have basely deserted their habitations, since the commencement of the present alarms: And whereas, some of them are associates in the great American union, and by consequence, their lives and fortunes bound to support it: And whereas there is a number of shipping, in the port of Savannah, belonging and appertaining to persons resident in this province: And whereas, we deem it incumbent upon every person, more especially those, who have associated to defend their property with their lives: These are therefore to cite, and admonish all persons holding any property in the town or hamlets, or shipping aforesaid, forthwith to repair to head-quarters in Savannah, to defend the same; on pain, of suffering all the consequences, contained in the foregoing resolutions.

By order of the Council of Safety.

WM. EWEN, President.

No. VI.

A General Return, of the different Detachments at Purrysburgh, March 10th, 1776.

	Captains.	Lieutenants.	Surgeons.	Sergeants.	Corporals.	Drums.	Privates.
Charlestown Volunteers, - - -	1	3	1	4	1	1	33
Charlestown Rangers, - - -	1	2	0	2	3	3	29
Charlestown Light Infantry, - - -	0	2	1	2	0	3	14
Charlestown Fuzileers, - - -	0	2	0	2	0	2	25
Beaufort Light Infantry, - - -	2	9	2	10	6	9	101
St. Helena Volunteers, - - -	1	1	0	2	2	1	16
Euhaw Volunteers, - - -	1	1	0	1	1	1	30
Huspa Volunteers, - - -	1	2	0	2	0	1	31
							18
							195
Light Horse, - - - -	1	1	1				17
	7	15	3	18	10	14	222
On duty at Savannah under Major Bourquin, - - - - -							113
On duty at Ebeneezer, guarding powder and the records of Georgia, - - -							40
Privates, - - - - -							375
Officers, Sergeants, &c. - - - -							67
On duty, in the service of Georgia, total							442

*To the Hon. the President of the Council of Safety,
Charlestown.*

SIR,

Above, is a state of the troops under my command, in the service of Georgia; the light horse, have already taken post in that province where I purpose landing, by recommendation of Colonel M'Intosh. I should have embarked sooner, but the different detachments dropped in so irregularly, particularly the Fuzileers and Light Infantry, (who only arrived at two o'clock this afternoon,) and then too much fatigued to proceed: but shall embark to-morrow morning early, on board of a sufficient number of proper boats, that I had provided, and mounted swivel guns on them. By the latest accounts, Savannah is safe; and no troops landed.

Enclosed, is a copy of my orders; to which, I refer you. On my arrival at Savannah, shall write you fully. In the interim, have the honour to be, Sir,

Your most obedient humble servant.

STEP'N BULL.

No. VII.

To Col. Henry Laurens, President of the Council of Safety, in Charlestown.

Head-Quarters, Savannah, March 15th, 1776.

SIR,

I wrote you yesterday by the post, in which I told you, I should be able to get the matter of the ships settled to my satisfaction. And not many hours after

my letter was gone, the Council of Safety sent an order directed to me, as Commander in Chief in this province; desiring, I would immediately have the vessels unrigged, and their rudders unhung: a work I was determined to do, ere I left this place; agreeable to the orders given me by the Congress in Charlestown. But, as our Congress depended in some measure on my conducting matters properly, I had before given it as my opinion in this Council of Safety, that it would have a much greater appearance of unanimity in the Colonies, and that Georgia was not so backward as was heretofore suspected, if they would make it an act of their own. And as the tories had yesterday said, the Carolinians had taken possession of Savannah, and meant never to give it up again; I thought it would bear that complexion: and it struck the Council of Safety in the same light. On which they resolved, that Lient. Col. Stirk, with a party of about forty men of their own militia should do the work; only requesting that I would be ready to support them if necessary: and, I accordingly had a sufficient number of men for that purpose—having now under my command four hundred and forty-two, who would have turned out at a minute's warning. Yet, I did not suffer any of my men to appear with arms, or seemingly to know any thing of the matter; but, I ordered them, to keep close to their quarters, which were but a few yards distance from the shipping. However, I have the pleasure of acquainting you, there was no opposition—but, an application was made to spare the unhangng of the rudder of the ship Georgia Planter, Inglis, alledging, it was so locked under water, that it could not be done. Major —— also, applied to have the rudder of his vessel spared; and would have given security for her not departing the province; on which, the President of the Council of Safety waited on me, and mentioned both circumstances. To the

first I replied, the rudder might be very soon rendered useless, by the help of an axe, cutting it off, near the water—as to Mr. _____'s vessel, I thought they could not with any degree of propriety grant his request, as it would wear the highest appearance of partiality; and would be absolutely repugnant to their own resolution—which was without exception; an order for which, I was then possessed of. However, the officer and men came down; and I sent Messrs. Black and Laurens, two ship carpenters, (first making them put off their uniform, and get common clothing,) and mixed with the people, to see that the work was properly executed. They are now at work—several vessels are unrigged—and the rudders unhung: and by to-morrow night shall have finished, I hope.

A Packet arrived from England two days ago, at Cockspur; after a short passage: and all the letters that they did not suspect came to friends of liberty, were allowed to be brought up, by Mr. _____, (a half tory, as he is usually denominated,) as also, An act of Parliament respecting the Boston Port-Bill, and An act to include New-York, North-Carolina, and Georgia, in the restraining bill. Also, the King's proclamation, dated 22d Dec. last, declaring, that all vessels cleared out, after the first of January last, and taken by any of the King's ships, shall be deemed lawful prizes—and, it is so particular, as to point out the shares, from the admiral to the swabber.*

I have seen a letter from a capital merchant in London to Mr. George Houston of this town, enclosing an extract which he had made with the contractors of the victualling office there, to supply all his Majesty's ships that may be stationed or rendezvous here;

* See the London Remembrancer for 1776, Part I. p. 196.

and that he should also supply, the agents of the Northern Department, with such provisions as could be purchased cheaper here, than there. And from the tenor of the letter I apprehend a number of men of war may be expected. For further particulars, I refer you to the Council of Safety; who will send you copies of all the letters of any consequence: together, with the act of parliament, and proclamation.

I shall return home, as soon as I have completed the business sent on; if, nothing material occurs.

I herewith enclose you two papers of intelligence, and a General Return.

I have the honour to be, Sir,

Your most obedient servant,

STEP'N BULL.

No. VIII.

Head-Quarters, Savannah, March 15, 1776.

*A General Return of the different Detachments on duty
at Savannah in Georgia, under the command of Col.
Stephen Bull; as referred to, in his letter No. VII.*

	<i>Major.</i>	<i>Captains.</i>	<i>Lieutenants.</i>	<i>Surgeon, Qu. Mas. and Adjutant.</i>	<i>Sergeant- Major.</i>	<i>Sergeants.</i>	<i>Corporals.</i>	<i>Drums and Fifes.</i>	<i>Privates.</i>
Charlestown Volunteers,	-	-	-	-	-	4	1	1	37
Charlestown Rangers,	-	-	12	12	1	2	3	3	29
Charlestown Light Infantry,	-	-	12	12	1	2	2	3	14
Charlestown Fuzileers,	-	-	9	9	2	2	2	2	25
	2	9	2		10	6	9		105
<i>Granville County Regiment.</i>									
Beaufort Light Infantry,	-	-	1	1		2	2	1	16
St. Helena Volunteers,	-	-	1	2		2	2	2	31
Euhaw Volunteers,	-	-	1	1		2	1	1	31
Huspa Volunteers,	-	-	1	2		2		1	17
Light Horse, or Pocotaligo Hunters,	-	-	1	1	1	2			16
Oakety Creek Detachment,	-	-	2		1	3		1	9
St. Peters,	-	-	1	2		1			22
Black Swamp,	-	-	1			2			23
Pipe Creek,	-	-	1			2			32
Boggy-Gut,	-	-		1		2			20
New-Windsor,	-	-	1	1		2		1	24
Upper Three Runs,	-	-	1			2			8
	1	9	11	1	1	22	5	7	249
Beaufort Artillery,	-	-			1				7

THOS. RUTLEDGE, *Adjutant.*

CHAPTER XV.

The General Assembly, recommences its deliberations—Chooses a Legislative Council—Elects, a President and Vice-President—Also, Judges, and other public officers—President Rutledge delivers an address—He, and the Vice-President, qualify, and are proclaimed—Both houses, present an address to the President; and proceed, upon their legislative duties—Speech of the President, towards the conclusion of the session—Both houses, adjourn—The Council of Safety, ceases to exist—The Courts of Law are opened—and the Chief Justice, gives a charge to the Grand Jury.

THE General Assembly having been adjourned on the 26th of March 1776, to meet again at five o'clock in the afternoon of that day, as stated at the end of Chapter XIII; it recommenced its deliberations at that hour, and proceeded to organize a government agreeably to the constitution, which had been ratified in the morning.

They first proceeded, to the choice of a Legislative Council; when, the following gentlemen were elected: Charles Pinckney, Henry Middleton, Richard Richardson, Rawlins Lowndes, Le Roy Hammond, Henry Laurens, David Olyphant, Thomas Ferguson, Stephen Bull, George Gabriel Powell, Thomas Bee, Joseph Kershaw, and Thomas Shubrick. After this, the

General Assembly, and the Legislative Council, agreeably to the provisions of the constitution, proceeded to choose by ballot, a President and Commander in Chief, a Vice-President, and other officers of government. Only the President and Vice-President were however, elected this afternoon; the rest of the officers being elected on the 27th and 28th of March. The gentlemen who were elected, to these high and honorable stations, were John Rutledge, President and Commander in Chief: and, Henry Laurens, Vice-President.

On Wednesday, March 27th, the following officers were elected:

Chief Justice—William Henry Drayton.

Assistant-Judges—Thomas Bee, John Matthews, and Henry Pendleton.*

Attorney-General—Alexander Moultrie.

Secretary of the Colony—John Huger.

Ordinary—William Burrows.

Judge of the Admiralty—Hugh Rutledge.

Register of Mesne Conveyances—George Sheed.

Sheriff of Charlestown District—Thomas Grimal.

Speaker of the General Assembly—James Parsons.

Clerk—Peter Timothy.

Speaker of the Legislative Council—George Gabriel Powell.

Clerk—Thomas Farr, jun.

Member of the Legislative Council, *vice*, Henry Laurens, chosen Vice-President—William Moultrie.

On March 28th the rest of the officers were chosen, consisting of,

* Joshua Ward, was also elected one of the Assistant-Judges; but he declined serving.

Members of a Privy Council.

James Parsons,
William Henry Drayton,
John Edwards.

Charles Pinckney,
Thomas Ferguson,
Rawlins Lowndes.

 The three first-named Privy Counsellors, were chosen by the General Assembly; the three last, by the Legislative Council.

Sheriffs for the Country Districts.

Edward Martin—for Georgetown.
Tunes Tebout—for Beaufort.
Lewis Golson—for Orangeburgh.
Robert Stark—for Ninety-Six.
John Wally—for Camden.
Henry William Harrington—for Cheraws.

 Mr. Tebout and Mr. Golson, having respectively desired leave to decline accepting the office of Sheriff, *John Rhodes*, was shortly afterwards appointed by the President, Sheriff for Beaufort—and *John James Haig*, Sheriff for Orangeburgh.

Secretary to the Privy Council—John Colcock.

On the 27th of March, John Rutledge the President elect, being present in the General Assembly, addressed that body, in nearly the following words:

“ GENTLEMEN,

“ The very great, unsolicited, and unexpected honour, which you have been pleased to confer on me, has overwhelmed me, with gratitude and concern.

“ Permit me to return you my most sincere thanks, for so distinguishing, and unmerited a mark, of your confidence and esteem. I have the deepest sense of this honour. The being called by the free suffrages of a brave and generous people, to preside over their welfare, is, in my opinion, the highest any man can receive. But, dreading the weighty and arduous duties of this station, I really wish, that your choice had fallen upon one, better qualified to discharge them; for, though in zeal and integrity, I will yield to no man, in abilities to serve you, I know my inferiority to many. Since however, this, gentlemen, is your pleasure; although I foresee, that, by submitting to it, I shall be ranked by our enemies, amongst ambitious and designing men, by whom they say, the people have been deceived and misled; yet, as I have always thought every man’s best services due to his country, no fear of slander, or of difficulty or danger, shall deter me, from yielding mine.

“ In so perilous a season as the present, I will not withhold them; but, in her cause, every moment of my time shall be employed: happy indeed, shall I be, if those services answer your expectations, or my own wishes. On the candour of my worthy countrymen, I rely, to put the most favorable construction, as they have hitherto done, upon my actions. I assure myself, of receiving, in the faithful discharge of my duty, the support and assistance of every good man in the Colony; and my most fervent prayer to the Omnipotent Ruler of the Universe, is, that under his gracious

providence, the liberties of America may be for ever preserved."

The elections to office being all closed, and the Speakers and members, of the Legislative Council, and General Assembly, having qualified agreeably to the provisions of the constitution; the President, and Vice-President, on Thursday 28th of March, took the oaths, respecting the execution of their trusts.* On this occasion, when a constitutional government, by the free voice of the people, first commenced its operations, a procession was determined on; and the provincial troops and militia were ordered, at eleven o'clock this day, to form themselves two deep in Broad-street, on the side opposite St. Michael's Church; the regiment of artillery with two field-pieces, to be posted on the right of the whole.† When the troops and people, were ready to receive the constituted authorities, the two Houses, preceded by the President and Vice-President, and Sheriff bearing the sword of state, made a solemn procession from the State-House, to the Exchange, in front of the line of troops; and on their arrival at the Exchange, the President was proclaimed by the Sheriff, amidst the heart-cheering plaudits of the people: which, was immediately responded to, by thirteen discharges from the cannon of the artillery—a *feu de joye* from the line of troops—and the cannon of the Prosper ship of war, and other armed vessels in the harbour. The procession, then returned to the State-House; and, each branch of the government, entered on the performance of its respective duties.

The government being so organized, an official seal of State was soon found wanting; and the General

* See Appendix to this Chapter, No. I.

† Ibid. No. II.

Assembly therefore resolved, on the 2d day of April, "That his Excellency the President and Commander in Chief, by and with the advice and consent of the Privy Council, may, and he is hereby authorized to, design and cause to be made, *a Great Seal of South-Carolina*; and until such a one can be made, to fix upon a temporary public seal."

On the 3d of April, both houses presented the following joint address to the President:

" May it please your Excellency.

" We, the Legislative Council and General Assembly of South-Carolina, convened under the authority of the equitable constitution of government established by a free people in Congress, on the 26th ult. beg leave, most respectfully, to address your Excellency.

" Nothing is better known to your Excellency, than the unavoidable necessity, which induced us as members of Congress, on the part of the people to resume the powers of government; and to establish some mode for regulating the internal polity of this Colony; and, as members of the Legislative Council and General Assembly, to vest you, for a time limited, with the executive authority. Such constitutional proceedings on our part, we make no doubt, will be misconstrued into acts of the greatest criminality by that despotism, which, lost to all sense of justice and humanity, has already pretended that we are in actual rebellion. But, Sir, when we reflect upon the unprovoked, cruel, and accumulated oppressions under which America in general, and this country in particular, has long continued; oppressions, which gradually increasing in injustice and violence, are now by the inexorable tyranny perpetrated against the United Colonies, under

the various forms of robbery, conflagration, massacre, breach of publice faith, and open war—conscious of our natural and unalienable rights, and determined to make every effort in our power to retain them; we see your Excellency's elevation, from the midst of us, to govern this country, as the natural consequences, of such outrages.

“ By the suffrages of a free people, you, Sir, have been chosen to hold the reins of government—an event, as honorable to yourself, as beneficial to the public. We firmly trust, that you will make the constitution the great rule of your conduct; and, in the most solemn manner, we do assure your Excellency, that, in the discharge of your duties under that constitution, which looks forward to an accommodation with Great Britain, (an event, which, though traduced and treated as rebels, we still earnestly desire) we will support you with our lives and fortunes.

“ In the Legislative Council, 3d April 1776.

“ GEORGE GABRIEL POWELL, *Speaker.*

“ In the General Assembly, 3d April 1776.

“ By order of the House.

“ JAMES PARSONS, *Speaker.*”

To this, the President replied in the following terms:

“ Honorable Gentlemen of the Legislative Council.

“ Mr. Speaker, and Gentlemen of the General Assembly.

“ My most cordial thanks are due, and I request that you will accept them, for this solemn engagement

of support, in discharging the duty of the honorable station, to which, by your favour, I have been elected.

“ Be persuaded, that no man would embrace a just and equitable accommodation with Great Britain more gladly than myself; but, until so desirable an object can be obtained, the defence of my country, and preservation of that constitution, which, from a perfect knowledge of the rights, and a laudable regard to the happiness of the people you have so wisely framed, shall engross my whole attention.

“ To this country, I owe all that is dear and valuable; and would, with the greatest pleasure, sacrifice every temporal felicity, to establish, and perpetuate her freedom.

“ JOHN RUTLEDGE.”

After this, both houses sat for the dispatch of public business; while the President entered upon the active duties of his station, aided occasionally by the advice of his Council. On the sixth of April, accounts arrived, that commissioners were to be sent from Great Britain, for the establishment of peace in America; and immediately Mr. Drayton and Lieutenant-Colonel Charles Cotesworth Pinckney retiring to a window of the Assembly room, penned the following resolution.

“ Whereas, the honorable the Continental Congress hath resolved, ‘that in the present situation of affairs, it will be very dangerous to the liberties and welfare of America, if any colony should separately petition the King, or either House of Parliament;’ and, whereas, no step should be left unessay'd to promote the general welfare; and whereas, the sending commissioners from Great Britain to treat with the different colonies, is dangerous to the stability of the liberties of America:

therefore, resolved, that it is the opinion of this House, that no measures should be left un essayed to establish the liberties of America; and to place them, as far as may be, out of the reach of fraudulent schemes, to subvert them by negotiation: and, that this Colony, should not enter into any treaty or correspondence with the court of Great Britain, or, with any person or persons, under that authority, but, through the medium of the Continental Congress.”* This, Mr. Drayton immediately presented to the General Assembly, seconded by Lieut. Col. Pinckney; and the house agreeing to it, ordered its publication; and that it be sent to the Continental Congress.

The acts and ordinances passed during this session of the General Assembly, were,

1. An ordinance establishing an oath of office, to be taken in manner therein mentioned.
2. An ordinance for making disposition of monies for the support of government; and to enable his Excellency the President and Commander in Chief, of South-Carolina for the time being, to execute certain powers, therein mentioned.

Passed the 6th day of April, 1776.

3. An ordinance to repeal part of an ordinance of the General Assembly, passed the 23d day of February 1771, “appointing Henry Peronneau and Benjamin Dart, Esquires, joint public Treasurers;” and to appoint Commissioners to take a state of the treasury: and also to empower the said Commissioners to settle the accounts of the late Powder Receiver.

* See London Remembrancer for 1776, Part II. pages 199, 200

4. An act, to increase the number of fire-masters in Charlestown; and to empower any three of them to pull down any such houses or other buildings as they shall judge necessary, for the stopping and preventing the spreading of fire.

5. An act to punish those, who shall counterfeit or utter, knowing them to be counterfeit, the certificates issued by the late Houses of Assembly, or the continental or colonial currency, which hath been or shall be hereafter issued.

6. An act for the more effectual prevention of the desertion of soldiers and sailors in the service of this Colony; and, for the punishment of those, who shall harbour or conceal them; or, who shall purchase, receive or conceal the arms, clothes, or accoutrements of deserters.

Passed the 9th day of April, 1776.

7. An ordinance for altering the time of holding the ensuing Circuit Courts, and the Courts of Common Pleas and General Sessions in Charlestown; and for other purposes therein mentioned.

8. An ordinance, to ascertain the duties of a muster-master-general, of the land and naval forces, in the service of this Colony.

9. An act to prevent sedition, and to punish insurgents and disturbers of the public peace.

10. An act to empower the Court of Admiralty to have jurisdiction in all cases of capture, of ships or vessels of the inhabitants of Great Britain, Ireland, the British West Indies, Nova Scotia, East and West

Florida; and to establish the trial by jury in such cases.

11. An act to revive and continue for the time therein mentioned, the several acts and clauses of acts of the General Assembly therein particularly mentioned: and to appropriate certain penalties; and to confirm the powers of the commissioners of roads, paths, bridges, creeks, causes, and water passages.

Passed the 11th day of April, 1776.

The President having given his assent on the 11th April 1776, to the above acts and ordinances, concluded the session by the following speech to both Houses of the General Assembly:

“ Honorable Gentlemen of the Legislative Council.

“ Mr. Speaker, and Gentlemen of the General Assembly.

“ It has afforded me much satisfaction to observe, that though the season of the year rendered your sitting very inconvenient; your private concerns, which must have suffered greatly by your long and close application in the late Congress to the affairs of this Colony, requiring your presence in the country; yet, continuing to prefer the public weal to ease and retirement, you have been busily engaged, in framing such laws, as our peculiar circumstances rendered absolutely necessary to be passed, before your adjournment. Having given my assent to them, I presume, you are now desirous of a recess.

“ On my part, a most solemn oath has been taken, for the faithful discharge of my duty. On yours, a solemn assurance has been given, to support me there-

in. Thus, a public compact between us, stands recorded. You may rest assured, that I shall keep this oath ever in mind—the constitution shall be the inviolable rule of my conduct—my ears shall be always open, to the complaints of the injured—justice, in mercy, shall neither be denied, or delayed—our laws and religion, and the liberties of America shall be maintained and defended, to the utmost of my power. I repose the most perfect confidence in your engagement.

“ And now, gentlemen, let me entreat, that you will, in your several parishes and districts, use your influence and authority, to keep peace and good order, and procure strict observance of, and ready obedience to, the law. If any persons therein, are still strangers to the nature and merits of the dispute between Great Britain and the Colonies, you will explain it to them fully; and teach them, if they are so unfortunate as not to know, their inherent rights. Prove to them, that the privileges of being tried, by a jury of vicinage, acquainted with the parties and the witnesses; of being taxed only with their own consent, given by their representatives freely chosen by, and sharing the burthen, equally with themselves, not for the aggrandizing a rapacious minister, and his dependent favourites, and for corrupting the people, and subverting their liberties—but, for such wise and salutary purposes, as they themselves approve; and of having their internal polity regulated, only by laws, consented to, by competent judges of what is best adapted to their situation and circumstances, equally bound too by those laws—are *inestimable*, and derived from that constitution, which is the birthright of the poorest man, and the best inheritance of the most wealthy. Relate to them, the various unjust, and cruel statutes, which the British Parliament, claiming a right *to make*

laws for binding the Colonies in all cases whatsoever, have enacted; and the many sanguinary measures, which have been, and are daily, pursued, and threatened, to wrest from them those invaluable benefits, and, to enforce such an unlimited and destructive claim. To the most illiterate it must appear, that no power on earth, can, of right, deprive them of the hardly-earned fruits of their honest industry, toil and labour—even to them, the impious attempt to prevent many thousands, from using the means of subsistence, provided for man, by the bounty of his Creator, and to compel them, by famine, to surrender their rights, will seem to call for divine vengeance. The endeavours, by deceit and bribery, to engage barbarous nations, to embrue their hands in the innocent blood of helpless women and children; and the attempts, by fair but false promises, to make ignorant domestics, subservient, to the most wicked purposes; are acts, at which, humanity must revolt.

“ Show your constituents, then, the indispensable necessity which there was, for establishing some mode of government in this Colony; the benefits of *that*, which a full and free representation has established; and, that the consent of the people is the origin, and the happiness, the end of government. Remove the apprehensions with which honest and well-meaning, but weak and credulous minds, may be alarmed; and prevent ill impressions by artful and designing enemies. Let it be known, that this constitution is but temporary—till an accommodation of the unhappy differences between Great Britain and American can be obtained; and, that such an event is still desired by men, who yet remember former friendship and intimate connections; though, for defending their persons and properties, they are stigmatized, and treated as rebels.

—“Truth, being known, will prevail over artifice and misrepresentation—conviction, must follow its discovery. In such a case, no man, who is worthy of life, liberty, or property, will, or can, refuse to join you, in defending them to the last extremity. Disdaining every sordid view, and the mean paltry considerations of private interest, and present emolument, when placed in competition with the liberties of millions; and seeing, that there is no alternative, but, absolute unconditional submission, and the most abject slavery—or, a defence becoming men, born to freedom—he will not hesitate, about the choice. Although, superior force may, by the permission of heaven, lay waste our towns, and ravage our country; it can never eradicate from the breasts of freemen, those principles, which are engrafted in their very nature. Such men, will do their duty, neither knowing, or regarding consequences—but submitting them, with humble confidence, to the omniscient and omnipotent Arbiter and Director of the fate of Empires; and trusting, that his Almighty arm, which has been so signally stretched out for our defence, will deliver them in a righteous cause.

“The eyes of all Europe, nay, of the whole world, are on America. The eyes of every other Colony, are on this: a Colony, whose reputation, for generosity and magnanimity, is universally acknowledged. I trust, therefore, it will not be diminished, by our future conduct; that there will be no civil discord here; and, that the only strife amongst brethren will be, who shall do most, to serve, and to save, an oppressed and injured country.

“ JOHN RUTLEDGE.

“ April 11th, 1776.”

This speech so ably expressed the rights and privileges of freemen, that it was received with much applause: and was not only ordered by the General Assembly to be published in the newspapers, but in hand-bills; and the constitution being also published in like manner, the people were informed of their rights and government at the same time; and thereby encouraged to support the one and the other.

These things being done, both Houses adjourned to the first day of October; leaving the administration of the government to the President, and the Privy Council.

A regular government being now established, and the first, which was organized by any of the Colonies in North America, the business of government, became easy; order, succeeded confusion; and a uniformity of conduct in those who governed, took place of that mutability, which prevailed in the Council of Safety, as induced by the exertions of the vigorous, and the postponements and oppositions of the pacific, or moderate parties, in that administration. Magistrates having been appointed throughout the Colony, by the General Assembly, and all the officers of government having taken the oaths, and having assumed their respective functions—the Courts of Law, which had been closed for near twelve months, were now opened on the 23d day of April 1776, with great solemnity; to the infinite joy of the well disposed, and the discomfiture of those, whose offences called for punishment: and, on this occasion, the Chief Justice William Henry Drayton gave his first charge, to the Grand Jury of Charlestown District. In this important address, he brought to the public recollection, the proceedings of the King's late Judges; who discharged Juries, as soon as met, without impanneling them;

whereby, in contempt of Magna Charta, justice was delayed, and denied. He next presented to their view, the change of government, which had taken place: and, by whose authority, they now held their seats as a Grand Jury. In doing this, he took a comprehensive view of the causes of this change; and then, compared them with those causes, which had induced the English Revolution in 1688. From these, he pronounced as a result; *that the law of the land authorized him to declare, and, that it was his duty boldly to declare, that George the third, King of Great Britain, had abdicated the government; and, that the throne was thereby vacant: THAT IS, HE HAS NO AUTHORITY OVER US, and WE OWE NO OBEDIENCE TO HIM.*

A declaration of so imposing a nature, issuing from the highest judicial officer in the Colony on so solemn an occasion, had a remarkable effect in quieting the minds of the people, in disquisitions, respecting the rights of kings, and those of the people. It, was also imposing in another point of view; as, while it displayed the spirit of the vigorous part of the Colony—it stood *unique* in its nature, in America.

The charge, concluded in the following words: “It is my duty also to declare, that in my opinion, our true commercial interests cannot be provided for, but by such a material alteration of the British acts of navigation, as, according to the Resolve of the honorable the Continental Congress, will ‘secure the commercial advantages of the whole empire of the mother country, and the commercial benefits of its respective members.’ And, that our liberties and safety cannot be depended upon, if the king of Great Britain should be allowed to hold our forts and cannon; or, to have authority over, a single regiment in America; or, a

single ship of war, in our ports. For, if he holds our forts, *he may turn them against us*; as he did Boston, against her proprietors: if he acquires our cannon, *he will effectually disarm the Colony*: if he has a command of troops among us, even if we raise and pay them, *shackles are fixed upon us*—witness, Ireland and her national army. The most express act of parliament, cannot give us security—for, acts of parliament are as *easily* repealed, as made. Royal proclamations are not to be depended upon—witness, *the disappointments of the inhabitants of Quebec and St. Augustine*. Even a change of ministers will not avail us—because, notwithstanding the rapid succession of ministers for which the British Court has been famous during the present reign, *yet, the same ruinous policy ever continued to prevail against America*.

“ In short, I think it my duty to declare, in the awful seat of justice, and before Almighty God, that in my opinion, the Americans can have no safety but by the Divine Favour—their own virtue—and, their being so prudent, *as not to leave it in the power of the British Rulers to injure them*. Indeed, the ruinous and deadly injuries received on our side; and the jealousies entertained, and which, in the nature of things, must daily increase against us on the other; demonstrate, to a mind in the least given to reflection upon the rise and fall of empires; that, true reconciliation never can exist between Great Britain and America, the latter being in subjection to the former.

“ The Almighty created America, to be independent of Britain. Let us beware, of the impiety of being backward to act as instruments in the Almighty hand, now extended to accomplish his purpose: and, by the completion of which alone, America, in the nature of human affairs, can be secure against the craft and insi-

dious designs of *her enemies*; who, think her prosperity and power ALREADY BY FAR TOO GREAT. In a word, our piety and political safety, are so blended; that, to refuse our labours in this divine work, is to refuse to be, a great—a free—a pious—and a happy people.

“ And now, having left the important alternative, political happiness or wretchedness—under God, in a great degree, in your own hands; I pray the Supreme Arbiter of the affairs of men, so to direct your judgment, as, that you may act agreeable to what seems to be his will, revealed in his miraculous works in behalf of America, bleeding at the Altar of Liberty.”*

* See Appendix, No. III. Also, the London Remembrancer for 1776, Part II. from page 321 to page 330: wherein the charge is published at length, excepting those passages, which would be specially obnoxious to *George III.* or *his ministers.*

A P P E N D I X

TO

CHAPTER XV.

No. I.

THE following oath, having been prepared and reported to the General Assembly by Col. Parsons, and Mr. Bee, and approved of; was taken by the President, in addition to the oath, inserted in the body of the constitution.

“ I, John Rutledge, do solemnly promise and swear, upon the Holy Evangelists of Almighty God, that I will preside over the people of this Colony, according to the constitution or form of government, agreed to and resolved upon, by the Representatives of South-Carolina, on the 26th of March 1776; that I will cause law and justice, in mercy, to be executed, and to the utmost of my power maintain and defend the laws of God, the Protestant Religion, and the liberties of America.”

No. II.

GENERAL ORDERS.

28th March 1776—Parole, Æra.

Ordered, that Col. Roberts' regiment of artillery, and all the militia now in Charlestown under the command of Col. Pinckney, do, at 11 o'clock this morning, draw up two deep in Broad-street, on the side opposite St. Michael's Church. The regiment of artillery with two field-pieces on the right; in order to receive the Hon. John Rutledge, Esq. constitutionally appointed, by the Hon. the Legislature, as President and Commander in Chief of the same; with the honours due that station.

Ordered, that should there not be room enough, for the militia under Col. Pinckney in Broad-street, from the State-House to the Exchange, then that the remainder draw up on the Bay, two deep, as before, with their backs to the houses; extending themselves from Guerard's corner on their left, as far along the Bay, as may be, in that manner.

Ordered, that Col. Roberts' regiment, do fire thirteen guns, immediately on its being signified to him, that the President's appointment has been read.

Ordered, that two centries be placed at the President's door, from Colonel Roberts' regiment; and be relieved as usual, from time to time.

 See Major Barnard Elliott's Orderly Book, p. 28th—March 1776.

No. III.

SOUTH-CAROLINA.

At an adjournment of the Court of *General Sessions of the Peace, Oyer and Terminer, Assize and General Gaol Delivery*, held at Charlestown, for the District of Charlestown, on Tuesday the 23d day of April, 1776—Before the Honorable *William Henry Drayton*, Esq. Chief Justice, and his Associate Justices of the Colony of *South-Carolina*.

On motion of Mr. Attorney-General, *Ordered*, That the charge of his honour the Chief Justice, delivered to the Grand Jury, be published together with their Presentments.

By order of the Court,

JOHN COLCOCK, C. C. S.

May 2d, 1776.

THE CHARGE TO THE GRAND JURY.

GENTLEMEN OF THE GRAND JURY.

WHEN by evil machinations tending to nothing less than absolute tyranny, trials by jury have been discontinued; and juries in discharge of their duty have assembled, and as soon met as silently and arbitrarily dismissed without being impaneled, whereby in contempt of Magna Charta, justice has been delayed and denied: it cannot but afford to every good citizen, the most sincere satisfaction, once more to see juries, as they now are, legally impaneled, to the end that the laws may be duly administered. I do most heartily congratulate you upon so important an event.

In this court, where silence has but too long presided, with a direct purpose to loosen the bands of government, that this country might be involved in anarchy and confusion; you are now met to regulate your verdicts, under a new constitution of government, independent of royal authority: a constitution which arose accord-

ing to the great law of nature and of nations ; and which was established in the late Congress on the 26th day of March last. A day that will be ever memorable in this country—a month, remarkable in our history, for having given birth to the original constitution of our government in the year 1669 ; for being the era of the American calamities by the Stamp Act in the year 1765 ; for being the date of the repeal of that act in the following year ; and for the conclusion of the famous siege of Boston, when the American arms compelled General Howe, a General of the first reputation in the British service, with the largest, best disciplined, and best provided army in that service, supported by a formidable fleet, so precipitately to abandon the most impregnable fortifications in America, as that he left behind him a great part of the bedding, military stores, and cannon of the army. And for so many important events, is the month of March remarkable in our annals,—But I proceed to lay before you, the principal causes leading to the late revolution of our government—the law upon the point—and the benefits resulting from that happy and necessary establishment. The importance of the transaction deserves such a state—the occasion demands,—and our future welfare requires it. To do this may take up some little time ; but the subject is of the highest moment ; and worthy of your particular attention : I will therefore confine my discourse to that great point ; and after charging you to attend to the due observance of the Jury Law, and the Patrol and Negro Acts, forbearing to mention the other common duties of a Grand Jury, I will expound to you, *the Constitution of your Country.*

The House of Brunswick was yet scarcely settled in the British Throne, to which it had been called by a free people, when in the year 1719, our ancestors in this country, finding that the government of the Lords Proprietors operated to their ruin, exercised the rights transmitted to them by their forefathers of England ; and casting off the Proprietary authority, called upon the House of Brunswick to rule over them—a House elevated to royal dominion, for no other purpose than to preserve to a people, their unalienable rights. The king accepted the invitation ; and thereby indisputably admitted the legality of *that* revolution. And in so doing, by his own act, he vested in those our forefathers, and in us their posterity, a clear right to effect *another* revolution, if ever the govern-

ment of the House of Brunswick should operate to the ruin of the people. So the excellent Roman Emperor Trajan, delivered a sword to Saburanus his Captain of the Praetorian Guard, with this admired sentence : “ Receive *this* sword, and use it to defend me if I govern well, but, *against me* if I behave ill.”

With joyful acclamations, our ancestors by act of Assembly passed on the 18th day of August 1721, *recognised* the British Monarch: the virtues of the second George are still revered among us—*he*, was the father of his people: and it was with extacy we saw his grandson George III. mount the throne, possessed of the hearts of his subjects.

But, alas ! almost with the commencement of his reign, his subjects felt causes to complain of government. The reign advanced—the grievances became more numerous and intolerable—the complaints more general and loud—the whole empire resounded with the cries of injured subjects ! At length, grievances being unredressed and ever increasing ; all patience being borne down ; all hope destroyed ; all confidence in royal government blasted ! Behold ! the empire is rent from pole to pole !—perhaps to continue asunder for ever !

The catalogue of our oppressions, continental and local, is enormous. Of such oppressions, I will mention only some of the most weighty.

Under colour of law, the king and parliamennt of Great Britain have made the most arbitrary attempts to enslave America;

By claiming a right to bind the Colonies, “ *in all cases whatsoever*; ”

By laying duties at their mere will and pleasure upon all the Colonies ;

By suspending the Legislature of New-York ;

By rendering the American charters of no validity, having annulled the most material parts of the charter of the Massachusetts-Bay ;

By divesting multitudes of the colonists of their property, without legal accusation or trial ;

By depriving whole colonies of the bounty of Providence on their own proper coasts ; in order to coerce them by famine ;

By restricting the trade and commerce of America ;

By sending to, and continuing in America, in time of peace, an armed force without, and against the consent of the people ;

By granting impunity to a soldiery instigated to murder the Americans ;

By declaring, that the people of Massachusetts-Bay are liable for offences, or *pretended* offences done in that Colony, to be sent to, and tried for the same in *England*; or in any colony, where, they cannot have the benefit of a jury of the vicinage ;

By establishing in Quebec, the Roman Catholic Religion, and an arbitrary government; instead of the Protestant Religion and a free government.

And, thus America saw it demonstrated, that no faith ought to be put in a royal proclamation; for I must observe to you, that in the year 1763, by such a proclamation people were invited to settle in Canada; and were assured of a legislative representation, the benefit of the Common Law of England, and a free government. It is a misfortune to the public, that this is not the only instance of the inefficacy of a royal proclamation: however, having given you one of a failure of royal faith in the Northern extremity of this abused continent, let it suffice, that I direct your attention to the Southern extremity; respecting which, the same particulars, were in the same manner promised; but, the deceived inhabitants of St. Augustine, are left, by their Grand Jury, in vain to complain and lament to the world, and yet scarcely permitted to exercise even that privilege distinguishing the miserable, that Royal faith is not kept with them !

The proceedings which I have enumerated, either immediately or in their evident consequences, deeply affected all the colonies : ruin stared them in the face. They united their counsels, and laid their just complaints before the throne, praying a redress of grievances. But, to their astonishment, their dutiful petition for peace and safety, was answered, *only* by an actual commencement of war and military destruction !

In the mean time, the British troops that had been peaceably received, by the devoted inhabitants of Boston, *as the troops of their Sovereign bound to protect them!* fortified that town, to imprison the people to whom it belonged ! And the British rulers having determined to appeal from reason and justice, to violence and arms, a select body of those troops, being in the night suddenly and privately marched from Boston—at Lexington, on the 19th day of April 1775, they by surprise drew the sword of civil war, and plunged it into the breasts of the Americans ! Against this horrid injustice, the Almighty gave instant judgment : a handful of country militia badly armed, suddenly collected, and unconnectedly and irregularly brought up to repel the attack, discomfited the regular bands of the tyranny ; they retreated, and night saved them from total slaughter.

Thus forced to take up arms in our own defence, America *yet again* most dutifully petitioned the king, that he would “be pleased to direct some mode, by which the united applications of his faithful colonists to the throne, in presence of their common councils, might be improved into a happy and permanent reconciliation ; and that in the mean time, measures might be taken for preventing the further destruction of the lives of his majesty’s subjects :”— But, it was in vain ! The petition, on the part of millions, *praying, that the effusion of blood might be stayed,* was not thought worthy of an answer ! The nefarious war continued. The ruins of Charlestown, Falmouth and Norfolk, towns not constructed for offence or defence, mark the *humane* progress of the royal arms : so the ruins of Carthage, Corinth and Numantium proclaimed to the world, that justice was expelled the Roman Senate ! On the other hand, the fortitude with which America has endured these civil and military outrages ; the union of her people, as astonishing as unprecedented, when we consider their various manners and

tenets ; their distance from each other ; their various and clashing local interests ; their self-denial ; and their *miraculous* success in the prosecution of the war : I say, these things all demonstrate that the Lord of Hosts is on our side ! So it is apparent, that the Almighty Constructor of the Universe, having formed this continent of materials to compose a state pre-eminent in the world, is now making use of the tyranny of the British rulers, as an instrument to fashion and arrange those materials for the end, for which, in his wisdom he had formed them.

In this enlightened age, humanity must be particularly shocked at a recital of such violences ; and it is scarce to be believed, that the British tyranny could entertain an idea of proceeding against America, by a train of more dishonorable machinations. But, nothing less, *than absolute proof*, has convinced us, that in the carrying on the conspiracy against the rights of humanity, the tyranny is capable of attempting to perpetrate whatever is infamous.

For the little purpose of disarming the imprisoned inhabitants of Boston, the king's General, Gage, in the face of day, violated the public faith, *by himself plighted* ; and in concert with other Governors, and with John Stuart, he made every attempt to *instigate the Savage Nations to war upon the Southern Colonies*, indiscriminately to massacre man, woman and child : the Governors in general have demonstrated, that truth is not in them ; they have inveigled Negroes from, and have armed them against their masters ; they have armed brother against brother—son against father ! —Oh, Almighty Director of the Universe ! what confidence can be put in a government ruling by such Engines, and upon such principles of *unnatural destruction* ! —A government, that on the 21st day of December last, made a law, *ex post facto* to justify what had been done, not only without law, but in its nature unjust ! —a law to make prize of all vessels trading in, to, or from the United Colonies—a law to make slaves of the crews of such vessels, and to compel them to bear arms against their conscience, their fathers, their bleeding country ! —The world, so old as it is, heretofore had never heard of so atrocious a procedure : it has no parallel in the registers of tyranny.—But to proceed.

The king's Judges in this country refused to administer justice ; and the late Governor Lord William Campbell, acting as the king's representative for him and on his behalf, having endeavoured to subvert the constitution of this country, by breaking the original contract between king and people, attacking the people by force of arms ; having violated the fundamental laws ; having carried off the Great Seal, and having withdrawn himself out of this colony, he abdicated the government.

Oppressed by such a variety of enormous injuries, continental and local, civil and military ; and by divers other arbitrary and illegal courses ; all done and perpetrated by the assent, command, or sufferance of the king of Great Britain ; the representatives of South-Carolina in Congress assembled, found themselves under an unavoidable necessity of establishing a form of government, with powers legislative, executive and judicial, for the good of the people ; the origin and end of all just government. For this only end, the House of Brunswick was called to rule over us. Oh ! agonizing reflection ! that House ruled us with swords, fire and bayonets ! The British government operated *only* to our destruction. Nature cried aloud, Self-preservation is the great law—we have but obeyed.

If I turn my thoughts to recollect in history, a change of government upon more cogent reasons ; I say, I know of no change upon principles so provoking—compelling—justifiable. And in these respects, even the famous revolution in England in the year 1688, is much inferior. However, we need no better authority than that illustrious precedent ; and I will therefore compare the causes of, and the law upon the two events.

On the 7th of February 1688, the Lords and Commons of England in convention, completed the following resolution.

“ Resolved, That King James II. having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people ; and, by the advice of Jesuits and other wicked persons, having violated the fundamental laws ; and having withdrawn himself out of this kingdom ; has abdicated the government, and that the throne is thereby vacant.”

That famous resolution, deprived James of his crown; and became the foundation on which the throne of the present king of Great Britain is built—it also supports the edifice of government which we have erected.

In that resolve, there are but three facts stated to have been done by James: I will point them out, and examine, whether those facts will apply to the present king of Great Britain, with regard to the operations of government, by him or his representative, immediately or by consequence affecting this colony.

The first fact is, the having endeavoured to subvert the constitution of the kingdom, by breaking the original contract.

The violation of the fundamental laws is the second fact; and in support of these two charges, the lords spiritual and temporal and commons, assembled at Westminster on the 12th day of February 1688, declared that James was guilty;

“ By assuming and exercising a power of dispensing with, and suspending of laws, and the execution of laws, without consent of parliament;

“ By committing and prosecuting divers worthy prelates, for humbly petitioning to be excused from concurring to the said assumed power;

“ By issuing and causing to be executed a commission under the Great Seal, for erecting a court, called, The Court of Commissioners for Ecclesiastical Causes;

“ By levying money for and to the use of the crown, by pretence of prerogative, for other time, and in other manner, than the same was granted by parliament;

“ By raising and keeping a standing army within this kingdom in time of peace, without consent of parliament; and quartering soldiers contrary to law;

" By causing several good subjects, being Protestants, to be disarmed, at the same time when Papists were both armed and employed contrary to law ;

" By violating the freedom of election of members to serve in parliament ;

" By prosecutions in the Court of King's Bench, for matters and causes cognizable only in parliament ; and by divers other arbitrary and illegal courses."

This declaration, thus containing two points of criminality—breach of the original contract, and violation of fundamental laws—I am to distinguish one from the other.

In the first place then, it is laid down by the best law authorities, that protection and subjection are reciprocal ; and that these reciprocal duties form the original contract between king and people. It therefore follows, that the original contract was broken by James' conduct as above stated, which amounted to a not affording due protection to his people. And, it is as clear, that he violated the fundamental laws, by the suspending of laws, and the execution of laws, by levying money ; by violating the freedom of election of members to serve in parliament ; by keeping a standing army in time of peace ; and by quartering soldiers contrary to law, and without consent of parliament ; which is as much as to say, that he did those things without consent of the *Legislative Assembly* chosen by the personal election of that people, over whom such doings were exercised.

These points, reasonings, and conclusions, being settled in, deduced from, and established upon parliamentary proceedings ; and the best law authorities ; must ever remain unshaken. I am now to undertake the disagreeable task of examining, whether they will apply to the violences which have lighted up, and now feed the flames of civil war in America.

James II. suspended the operation of laws—George III. caused the charter of the Massachusetts-Bay to be in effect annihilated ; he suspended the operation of the law which formed a legislature

in New-York, vesting it with adequate powers; and thereby he caused the very ability of making laws in that colony to be suspended.

King James levied money without the consent of the representatives of the people called upon to pay it—King George has levied money upon America, not only without, but expressly *against* the consent of the representatives of the people in America.

King James violated the freedom of election of members to serve in parliament—King George by his representative Lord William Campbell acting for him and on his behalf, broke through a fundamental law of the country, for the certain holding of General Assemblies; and thereby, as far as in him lay, not only violated, but annihilated the very ability of holding a General Assembly.

King James in time of peace kept a standing army in England, without consent of the representatives of the people among whom that army was kept—King George hath in time of peace, invaded this continent with a large standing army without the consent, and he hath kept it within this continent, expressly against the consent of the representatives of the people, among whom that army is posted.

All which doings by King George III. respecting America, are as much contrary to our interests and welfare; as much against law, and tend as much, at least, to subvert and extirpate the liberties of this colony, and of America; as the similar proceedings by James II. operated respecting the people of England. For the same principle of law touching the premises, equally applies to the people of England in the one case, and to the people of America in the other. And this is the great principle. Certain acts done, over, and affecting a people, against and *without their consent expressed by themselves, or by representatives of their own election*. Upon this *only* principle was grounded the complaints of the people of England—upon the *same*, is grounded the complaints of the people of America. And hence it clearly follows, that if James II. violated the fundamental law of England; George III. hath also violated the fundamental laws of America.

Again. King James broke the original contract, by not affording due protection to his subjects, although he was not charged with having seized their towns, and with having held them against the people—or with having laid them in ruins by his arms—or with having seized their vessels—or with having pursued the people with fire and sword—or with having declared them rebels, for resisting his arms levelled to destroy their lives, liberties, and properties—But George III. hath done all those things against America; and it is therefore undenialable, that he hath not afforded due protection to the people. Wherefore, if James II. broke the original contract, it is undenialable, that George III. has also broken the original contract between king and people; and that he made use of the most violent measures by which it could be done—violences, of which *James was guiltless*—measures, carrying conflagration, massacre and open war amidst a people, whose subjection to the king of Great Britain, the law holds to be due, *only* as a return for protection. And so tenacious and clear is the law upon this very principle, that it is laid down, subjection is not due even to a king *de jure* or of right, unless he be also king *de facto* or in possession of the executive powers dispensing protection.

Again. The third fact charged against James, is, that he withdrew himself out of the kingdom—And we know that the people of this country have declared, that Lord William Campbell, the King of Great Britain's representative, “having used his utmost efforts to destroy the lives, liberties, and properties of the good people here, whom by the duty of his station he was bound to protect, withdrew himself out of the colony.”—Hence it will appear, that George III. hath withdrawn himself out of this colony, provided it be established, that exactly the same natural consequence resulted from the withdrawing in each case respectively: King James personally out of England, and King George out of Carolina by the agency of his substitute and representative Lord William Campbell.—By King James withdrawing, the executive magistrate was gone, thereby, in the eye of the law, the executive magistrate was dead, and of consequence Royal government actually ceased in England—So by King George's representative's withdrawing, the executive magistrate was gone, the death in law became apparent, and of consequence Royal government actually ceased in this colony. Lord William withdrew as the king's rep-

resentative, carrying off the Great Seal and Royal Instructions to Governors, and acting for and on the part of his principal, by every construction of law, that conduct became the conduct of his principal; and thus, James II. withdrew out of England; and George III. withdrew out of South-Carolina; and by such a conduct respectively, the people in each country were exactly in the same degree injured.

The three facts against King James being thus stated and compared with similar proceedings by King George, we are now to ascertain the result of the injuries done by the first, and the law upon that point; which, being ascertained, must naturally constitute the judgment in law, upon the result of the similar injuries done by the last: and I am happy that I can give you the best authority upon this important point.

Treating upon this great precedent in Constitutional Law, the learned Judge Blackstone declares, that the result of the facts “amounted to an abdication of the government, which abdication, did not affect only the person of the king himself, but also, *all his heirs*; and rendered the throne absolutely and completely vacant.” Thus it clearly appears, that the government was not abdicated, and the throne vacated by the resolutions of the Lords and Commons; but, that the resolution was only declaratory of the law of nature and reason, upon the result of the injuries proceeding from the three combined facts of maladministration—And thus, as I have on the foot of the best authorities made it evident, that George III. King of Great Britain, has endeavoured to subvert the constitution of this country, by breaking the original contract between king and people; by the advice of wicked persons has violated the fundamental laws; and has withdrawn himself by withdrawing the constitutional benefits of the kingly office, and his protection out of this country: from such a result of injuries, from such a conjecture of circumstances—the law of the land authorizes me to declare, and it is my duty boldly to declare the law, that George III. King of Great Britain, has abdicated the government, and that the throne is thereby vacant; that is, *he has no authority over us*, and *we owe no obedience to him*. The British Ministers already have presented a charge of mine to the notice of the Lords and Commons in Parliament; and I am nothing loath that they take equal

resentment against this charge. For, supported by the fundamental laws of the constitution; and engaged as I am in the cause of virtue—I fear no consequences from their machinations.

Thus having stated the principal causes of our *last* revolution, it is as clear as the sun in meridian, that George III. has injured the Americans, at least as grievously as James II. injured the people of England: but that James did not oppress these in so *criminal* a manner as George has oppressed the Americans. Having also stated the law on the case, I am naturally led to point out to you, some of the great benefits resulting from that revolution.

In one word then, you have a form of government in every respect preferable to the mode under the British authority: and this will most clearly appear by contrasting the two forms of government.

Under the British authority, Governors were sent over to us, who were utterly unacquainted with our local interests, the genius of the people, and our laws; generally, they were but too much disposed to obey the mandates of an arbitrary Minister; and if the Governor behaved ill, we could not by any peaceable means procure redress.—But, under our present happy constitution, our executive magistrate arises according to the spirit and letter of Holy Writ—“*their Governors shall proceed from the midst of them.*” Thus, the people have an opportunity of choosing a man intimately acquainted with their true interests, their genius, and their laws; a man perfectly disposed to defend them against arbitrary Ministers; and to promote the happiness of that people from among whom he was elevated; and by whom, without the least difficulty, he may be removed and blended in the common mass.

Again, under the British authority it was in effect declared, that we had no property; nay, that we could not possess any; and that we had not any of the rights of humanity: for men who knew us not, men who had gained in proportion as we lost, arrogated to themselves a right to *BIND US IN ALL CASES WHATSOEVER!*—But, our constitution is calculated to FREE us from foreign bondage; to secure to us our property; to maintain to us the rights of huma-

nity; and to defend us and our posterity, against British authority, aiming to reduce us to the most abject slavery!

Again, the British authority declared, that we should not erect slitting-mills—and, to this unjust law we implicitly and respectfully submitted so long, as with safety to our lives we could yield obedience to such authority—but a resolution of Congress now grants a premium to encourage the construction of such mills. The British authority discouraged our attempting to manufacture for our own consumption—but, the new constitution, by authorizing the disbursement of large sums of money by way of loan, or premium, encourages the making of iron, bar-steel, nail-rods, gun-locks, gun-barrels, sulphur, nitre, gun-powder, lead, woollens, cottons, linens, paper and salt.

Upon the whole, it has been the policy of the British authority, to oblige us to supply our wants at their market, which is the *dearest* in the known world; and to cramp and confine our trade so as to be subservient to their commerce, our real interest being ever out of question.—On the other hand, the new constitution is wisely adapted to enable us to trade with foreign nations, and thereby, to supply our wants at the *cheapest* markets in the universe; to extend our trade infinitely beyond what it has ever been known; to encourage manufactures among us; and it is peculiarly formed, to promote the happiness of the people, from among whom, by virtue and merit, *the poorest man may arrive at the highest dignity*.—Oh, Carolinians! happy would you be under this new constitution, if you knew your happy state.

Possessed of a constitution of government, founded upon so generous, equal and natural a principle,—a government expressly calculated to make the people rich, powerful, virtuous and happy, who can wish to change it, to return under a Royal government; the vital principles of which, are the reverse in every particular! It was my duty to lay this happy constitution before you, in its genuine light—it is your duty to understand—to instruct others—and to defend it.

I might here with propriety quit this truly important subject, but anxiety for the public weal, compels me yet to detain your atten-

tion, while I make an observation or two, upon one particular part of the constitution.

When all the various attempts to enslave America, by fraud under guise of law; by military threats; by famine; massacre; breach of public faith, and open war: I say, when these things are considered on the one hand; and, on the other, the constitution, expressing that some mode of government should be established, “until an accommodation of the unhappy differences between Great Britain and America, can be obtained, an event which, though traduced and treated as rebels, we still ardently desire:” I say when these two points are contrasted, can we avoid revering the magnanimity of that great council of the state, who after such injuries, could entertain such a principle!—But, the virtuous, are ever generous: we do not wish revenge: we earnestly wish an accommodation of our unhappy disputes with Great Britain; for, we prefer peace to war. Nay, there may be even such an accommodation, as excluding every idea of revenue by taxation or duty, or of legislation by act of parliament, may vest the king of Great Britain with such a limited dominion over us, as may tend, *bona fide*, to promote our true commercial interests, and to secure our freedom and safety—the only just ends of any dominion. But, while I declare thus much on the one side, on the other it is my duty also to declare, that in my opinion, our true commercial interests cannot be provided for, but by such a material alteration of the British Acts of Navigation, as according to the resolve of the honorable the Continental Congress, will “secure the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members.” And, that our liberties and safety cannot be depended upon, if the king of Great Britain should be allowed to hold our forts and cannon; or to have authority over a single regiment in America; or a single ship of war in our ports. For if he holds our forts, *he may turn them against us*, as he did Boston against her proprietors: if he acquires our cannon, *he will effectually disarm the colony*: if he has a command of troops among us, even if we raise and pay them, *shackles are fixed upon us*—witness Ireland and her national army.—The most express act of parliament cannot give us security, for acts of parliament are as *easily* repealed as made. Royal proclamations are not to be depended upon, witness, *the disappointments*

of the inhabitants of Quebec and St. Augustine. Even a change of ministry will not avail us, because notwithstanding the rapid succession of ministers for which the British court has been famous during the present reign, *yet the same ruinous policy ever continued to prevail against America.*—In short, I think it my duty to declare in the awful seat of justice and before Almighty God, that in my opinion, the Americans can have no safety but by the Divine Favour, their own virtue, and their being so prudent, as *not to leave it in the power of the British rulers to injure them.* Indeed the ruinous and deadly injuries received on our side; and the jealousies entertained, and which, in the nature of things, must daily increase against us on the other; demonstrate to a mind, in the least given to reflection upon the rise and fall of empires, that true reconciliation never can exist between Great Britain and America, the latter being in subjection to the former.—The Almighty created America to be independent of Britain: let us beware of the impiety of being backward to act as instruments in the Almighty Hand, now extended to accomplish his purpose; and by the completion of which alone, America, in the nature of human affairs, can be secure against the craft and insidious designs of *her enemies who think her prosperity and power ALREADY BY FAR TOO GREAT.* In a word, our piety and political safety are so blended, that to refuse our labours in this divine work, is to refuse to be a great, a free, a pious and a happy people!

And now having left the important alternative, political happiness or wretchedness, under God, in a great degree in your own hands; I pray the supreme Arbiter of the affairs of men, so to direct your judgment, as that you may act agreeable to what seems to be his will, revealed in his miraculous works in behalf of America, bleeding at the altar of liberty!

CHAPTER XVI.

The Colony enjoys a calm—when necessities of life are introduced through the channels of trade and capture—The President avails himself of this repose, to make preparations against the arrival of British armaments—Brigadier General Armstrong arrives—Two British vessels of war anchor off the Racoony-Keys—A large fleet of British vessels of war and transports arrive—Expresses are sent, to order down the militia; and the alarm-guns are fired—The President and General Armstrong visit the fortifications, and requisitions are made for the public defence—Major General Lee, and Brigadier General Howe arrive—President Rutledge resigns the military command to Gen. Lee—Preparations are made to meet the enemy—Troops arrive from the Northward—Situation of the fort on Sullivan's Island, when General Lee arrived—He proposes to evacuate the fort: but the President will not consent to it—General Lee, withdraws troops, and powder from Sullivan's Island—Throws a floating bridge from the main, across the cove, to Sullivan's Island—His anxiety respecting the troops and fort, on Sullivan's Island—Troops are extended from Haddrell's Point along the main, to watch the motions, of the British forces, who had landed on Long-Island—General Lee is aware of the weaknesses of the fort on Sullivan's Island; and directs certain works to be made to protect, and support it—The men of war, pass over Charlestown

bar; and General Clinton sends a flag with a proclamation; which is received at Fort Sullivan—It is not attended to—The troops move into Fort Sullivan, and prepare for active service—Additional works are thrown up, on Sullivan's Island—Sir Peter Parker, Commodore of the fleet, makes a demonstration; but is obliged to come to anchor—Description of Fort Sullivan; as also of the other forts, and defences—Disposition of the troops to meet the enemy; in case they should pass the forts, up to Charlestown—Sir Peter Parker proceeds with his squadron, to attack Fort Sullivan—Battle of the 28th June 1776—Gen. Clinton with the British forces, endeavours to pass, from Long-Island to Sullivan's Island; but is unsuccessful—Sir Peter Parker is defeated; and retires to his anchorage—A British frigate burnt and blown up—Scarcity of powder in the fort, during the action—General Lee and President Rutledge visit the fort on Sullivan's Island; and return thanks to the garrison—The fort is called after Colonel Moultrie; who commanded therein, when the British fleet were defeated—The Continental Congress returns thanks to Major General Lee, and Colonels Moultrie, and Thomson; also to the officers and soldiers, under their commands—The British armament and troops depart—A transport, with British troops taken—Disputes arise between the British naval and land forces—The militia are paid and marched back to their homes—General Lee's conduct considered—Independence of the Colonies declared by Congress; and proclaimed in South-Carolina—Captain Robert Cunningham, and other disaffected back-country leaders, who had been confined in prison, are enlarged, on a promise of good behaviour—It nearly causes a mutiny, in Major Williamson's army in the interior; and is a measure not well received, by the back-country settlers, friends to the American cause

—*The printing presses, which had been removed from Charlestown, resume their daily publications; and quantities of ammunition and goods, are brought into the ports of South-Carolina.*

THE British men of war, having taken leave of this colony—the Insurgents of the interior being overcome—the disaffected converted, or awed into apparent submission—the Royal government, being entirely put down—and a constitutional one of our own, substituted in its stead—the colony enjoyed a calm; which, it had not experienced, for some time. British vessels of war, however, frequently appeared along the coasts; and occasionally restricted the entrance into Charlestown harbour, and the other sea-ports; but opportunities were not wanting, to the industry and enterprize of our citizens: and their spirits returned to their former elasticity, as a more enlarged sphere was presented to their hopes; while necessities of life, which were becoming scarce, now poured in upon them, through the channels of trade, and capture.

Of this general repose, the President and Privy Council availed themselves, in arranging those means of strength, which our social relations afforded; and which the expected arrival of British armaments imperiously required. And happy was it for Carolina, that an enlightened and energetic executive, was in the place of the many-headed one, which the Council of Safety would have presented—for the time was coming, indeed, it was at hand, when prompt decision, and immediate execution, were necessary for meeting the hostile forces, which were moving towards our shores. In the beginning of May, accounts were received, that Sir Peter Parker with a British squadron, had arrived at Cape Fear in North-Carolina;

and, that either Virginia or Charlestown, was his object:— also, that a body of Virginia and North-Carolina troops were in full march for Charlestown, commanded by Major General Charles Lee; who accompanied by officers of celebrity, was posting before them. And, how far, the Council of Safety, clogged

* He arrived there, after a long voyage of near three months from Cork in Ireland ; bringing with him, the 15th, 28th, 33d, 37th, 54th and 67th regiments, with seven companies of the 46th regiment, under the command of Lord Cornwallis. On their arrival, Sir Henry Clinton joined them from New-York,(a) and immediately assumed the command of the troops ; issuing a proclamation, inviting the inhabitants of the colonies to return to their allegiance, and place themselves under the protection of the British government. The effect, however, produced by this proclamation was trifling ; as the suppression of the insurrection from Cross-Creek in February, had extremely discouraged adherents to the British cause. However, as the voyage had been long, and salt provisions had been their only food, a plunder of cattle, sheep and vegetables, became extremely desireable ; for which purpose, four companies of light infantry, with the 33d and 37th regiments embarking in flat-bottomed boats, made an incursion into North-Carolina : and having obtained some scanty supplies, they returned on board of their respective ships. These were the troops, which the Insurgents had expected, would have arrived in February ; and Gen. Clinton's orders were to try if any of the Southern provinces would take up arms in favour of Great Britain—in which case, he was to have left a body of troops to assist the loyalists ; and to return with the remainder to New-York harbour, in such time, as to form a junction with the British Commander in Chief there, to commence the great operations of the campaign.—Steadman's American War, vol. I. pages 183, 184.

(a) General Clinton was dispatched by General Howe from Boston early in January 1776, with an armament, on this secret expedition, as it was then called ; and shortly after he arrived at New-York, on a visit (as he said) to his friend Governor Tryon. His object in going to New-York to see Governor Tryon, was to consult with him respecting his future operations in North-Carolina ; as he “ did not affect to conceal his objects, but declared, that he was to proceed to North-Carolina, where he expected the small force he should carry with him, would be joined by five regiments from Europe.” And as Governor Tryon “ had been some time before removed from it” (New-York) “ to the government of North-Carolina,” it is probable, he expected to receive from him information of importance, as to the mode in which, he should conduct himself, with the disaffected inhabitants of North-Carolina.—Marshall's Life of Washington, vol. II. pages 276, 284, 291, 260. Also, the London Remembrancer for 1776, Part I. 358, 359—also, Part II. 25, 26.

in its actions by oppositions and harangues, would have seized opportunities as they occurred—how far, that body as an executive, could have harmonized with the high and experienced military officer who was approaching, with aid—and, whose singular manners, made it necessary for the public good, that all unpleasant sensations thence arising, should be put down: are questions, upon which, so much would have depended—and from which, so much was to be feared—that it is fortunate for South-Carolina, the new government was in operation; and, that a statesman, so intelligent and energetic as Mr. Rutledge, was directing her affairs, and condensing her strength.

Brigadier General Armstrong, had arrived in Charlestown towards the close of April; and soon after took command of the troops at that place, and its vicinity. And on the 26th of April 1776, President Rutledge having received information, that two men of war, were at anchor off the Racoons-Keys; he desired Col. Moultrie to send a reconnoitring party to that quarter, to obtain farther information: and Capt. Peter Horry, with a detachment of troops, was accordingly sent on that service. On the 31st of May, expresses were sent to the President from Christ Church Parish, stating that a large fleet of British vessels were seen off Dewees' Island; about twenty miles North of Charlestown bar; and on the first of June, Sir Peter Parker cast anchor, some few miles to the Northward of it; with upwards of fifty sail of vessels, including transports. Upon this, the President sent expresses, to order down the militia—the alarm was fired—the fortifications were visited by the President and General Armstrong—and every thing was called into requisition, necessary for making the best possible defence, against an invasion, which appeared certain and immediate.

A few days after the 4th of June, Major General Charles Lee, accompanied by Brigadier General Howe, and some other officers, arrived at Haddrell's Point; and, after viewing that post and Fort Sullivan, they came up to Charlestown. His arrival, excited the public ardour; and was hoped to presage happy results: nor was he wanting in discourses, to inform the public mind as to military matters; or backward, in proceeding on horseback or in boats, directing military works, and ordering such matters to be done, as the particular crisis demanded. On the 8th of June, General Lee commenced issuing his orders as Major General; having sent three written communications to Col. Moultrie at Sullivan's Island, during that day. It soon appeared, there could not be two Commanders in Chief: which induced President Rutledge on the 9th of June to issue in General Orders, that "The command of all the regular forces, and militia of this colony acting in conjunction with them, being invested in Major General Lee; orders issued by him, are to be obeyed."

After this, Charlestown presented a new appearance; as the stores and warehouses on the wharves, were levelled with the ground—to give room for the fire of musketry and cannon from the lines of defence along East-Bay; and to take off any shelter, which the enemy might have from them. The property so destroyed, was of much value; but the urgency of the occasion, obliged private rights to give way, to the public safety. Fleches were thrown up, at those places, where troops might land; and traverses were erected across the streets, which might be exposed to any raking fire of the enemy: and as lead was scarce, the leaden weights from the windows of houses were offered by their owners, to be cast into musket balls, for the public service. All men, laboured with alac-

rity; some, for the sake of example, and others, from the usefulness of their labour: nor, did the rainy or sultry weather, give any interruption to their progress. To assist in these various duties, a number of Negroes were also employed; many of whom had been ordered down from the country for that purpose. And in a short time, the works were so advanced, as greatly to encourage the inhabitants in the knowledge of their own strength: and, as placing them in a situation of meeting a cannonade and assault, with hopes of successful opposition. For at this time, beside Forts Sullivan and Johnson, which commanded the approach from the sea to the town, batteries were mounted with heavy cannon—one on James Island, and others, along South and East Bays; whose number of cannon, amounting to upwards of one hundred, were all ready for playing on the enemy.* About this time also, the printing-presses were sent out of Charlestown for greater safety; as the public records had been some time before: and the country militia were marching into the town, with great alacrity.

On the eleventh of June, the troops from the Northward arrived; and a force was assembled, on which a reliance was placed, in the appeal to arms, now so evidently made. The *ultima ratio*, was now resorted to; and it shone resplendent on the helmets of the first, as *Liberty* did on those of the second, regiments, of this colony.† When the American force was all collected, for the defence of the town and the out-

* See a list of forts, batteries, and ships at Charlestown, and its harbour, with an account of the troops in garrison, as published in the London Remembrancer, for 1776, Part I. page 360.

† The caps of the officers and men of those regiments, had a crescent on the front, with those words engraven on them. *

posts, they amounted to about six thousand, five hundred and twenty-two men; consisting of the following troops:

North-Carolina Continentals,	1,400
Virginia do.	500
South-Carolina do.	1,950
Charlestown Militia,	700
Country Militia,	1,972
	—
Total,	6,522
	—

When General Lee arrived, only the front and one side of Fort Sullivan were finished; the rear of the fort and the other side were not built up more than a few feet high, and the fort was not closed in: while the troops destined for its defence, were encamped in its rear, in huts and booths, covered with palmetto leaves. In the orderly books of the second regiment then stationed there, where the troops were so butted was called "*the Camp;*" and only those staid in the fort, who were sent there, for regular guards. For, the mechanics and labourers were so numerous, in pressing on the work, and in lifting and fitting the heavy palmetto logs, which walled in the fort; that the introduction of troops among them, would have much inconvenienced the public service. At this time, he found upon Sullivan's Island about twelve hundred men; and ten thousand pounds of powder. But General Lee had scarcely looked at the island, when he disliked the task of defending it. And he soon reduced the number of troops thereon, as well as the quantity of the powder which had been placed there: openly declaring in Fort Sullivan, "that it could not hold out half an hour; and, that the platform was but a slaughtering stage." He even pro-

posed to the President, to evacuate the fort and island—but the President rejected with indignation a proposition, so humiliating and disheartening to the troops and the people; and so advantageous, to the views of the enemy.

Not succeeding in this proposition, and apprehending that the enemy would not attack the fort or island, but would land from Long-Island upon the main, for the purpose of seizing Haddrell's Point, and advancing against the town from that quarter, the men of war and boats from the fleet co-operating with them; he withdrew many of the troops, and a quantity of the powder from Sullivan's Island; and strongly reinforced the post at Haddrell's Point with continental and colonial troops, under the command of Brigadier General Armstrong. And for the purposes of retreat, he threw a bridge of the width of two planks buoyed up by empty hogsheads, and boats anchored at certain distances, across the cove to Sullivan's Island.

On this occasion, General Lee appeared extremely anxious for the safety of the troops remaining on Sullivan's Island; as if they had been placed there, merely for the purpose of spiking up cannon in the fort—blowing up its magazine—and making a soldierly retreat; and not for the purpose of opposing the advance of the enemy, as long as possible. All his letters, before the action took place, to Col. Moultrie commanding at the fort, evince this disposition. One of his first orders was, to have Long-Island reconnoitred; but, his letter to Col. Moultrie not arriving in time, it was countermanded. And in his letter to the Colonel of the 3^d of June, still under the impression of a retreat, he says, “I do not myself, much like the scheme of retreating in boats; it cannot, I think, be done without confusion. But I think, you ought to

have two means of retreat: for which reason, I must beg that you will be expeditious in finishing the bridge; and all the boats I can procure shall be likewise sent to you.” On the 11th of June, General Lee ordered five hundred men to be sent from the island, to Haddrell’s, for the purpose of extending themselves from the left of Haddrell’s along the main towards Long-Island; “by which means, they will be able to prevent the enemy from erecting works, to cut off your retreat. *I would order the whole body off the island, but apprehend it might make your garrison uneasy.*”*

Another weakness respecting Sullivan’s Island, had made a strong impression on General Lee. This, was owing to the situation of the fort; which was so placed, that a bend of the island permitted approaches to be made on its right flank, by that part of the water which extended round the curve of the shore, into the cove; and he thence feared, the front platform of the fort on which the guns were placed for fighting the enemy, would be enfiladed from that quarter of the cove, should any frigates be sufficiently vigilant, and able, to possess and maintain that position. He therefore directed screens to be erected on the platform, to protect the men in some measure from such an attack; and his letters to Col. Moultrie on this subject, show his extreme anxiety, respecting the unprotected situation of the fort on that side. On the 22d of June, he again urged Col. Moultrie to exertions in military arrangements, as the screens had not been erected, nor the traverse in the fort completed; in which matters he seemed to fear the Colonel was too easy. And he particularly therein drew the Colonel’s attention, to

* Gen. Lee’s letter of 11th June 1776, to Col. Moultrie.

finishing the traverse across the fort ;* and also touched upon the construction of an advanced fleche, on its right flank ; to impede the enemy's approaches, on the side of the cove. Neither this work, nor the screens for the platform, were ever executed.

Under all these discouragements, Colonel Moultrie's situation, was not one of the most pleasant; neither was it such, as every officer would have been satisfied with, in risking his life and character. Col. Moultrie, however, did not give way under them; but, with the easy temper habitual to him, one day when General Lee took him aside, and asked him if he thought he could maintain the fort, he laconically replied, "Yes, I think I can;"† and from that day, he coolly awaited whatever event, his good or bad fortune had in store for him.

Although the enemy had come to anchor only a few miles to the Eastward of Charlestown, their movements were so languid, that it was not until the 4th of June, their fleet got abreast of Charlestown bar. About this time,‡ the fort on Sullivan's Island was enclosed in the rear, so far as circumstances permitted; but the main-gate on that side was not finished.

* This traverse, was directed to be made by General Lee, for the purpose of defending the front part of the fort, should it be stormed in the rear; where, it was in a low and unfinished state. The traverse, was composed mostly of a high breast-work of sand; from which, it was intended to have defended the fort on that side, by spears and musketry, should the enemy make a lodgement in the unfinished part. It was formed on the same principle, as the traverse was afterwards made, in the redoubt at Red Bank on the Delaware: by the aid of which, Colonel Greene repelled with so much honour, the assault of Count Donop at the head of two thousand men.—Ramsay's American Revolution, vol. 2d, page 18.

† Moultrie's Memoirs, vol. 1st, page 143.

‡ Ibid, vol. 1st, page 146

The winds and tides being favorable for the four following days, thirty-six vessels came over the bar, and anchored about three miles distance from Sullivan's Island in Five Fathom Hole. Two of the transports got aground in coming over; one got off, but the other, the Prince of Piedmont, a victualling ship, was totally lost, on the North Breakers.

On the 7th of June, a boat with a flag of truce from the enemy, came towards the island; but, was fired on by an ignorant sentinel. Upon this, the boat immediately put about, and would not return; although, an officer who was sent to receive the flag, waved his handkerchief at the shore for that purpose. Next day, Col. Moultrie sent a flag, by Captain Francis Huger, to acquaint them of the sentinel's having fired without orders; and that if another flag were sent from the fleet, it should be properly received. This apology, was accordingly accepted; and a second flag was sent with the following proclamation:

"By Major General Clinton, Commander of his Majesty's forces in the Southern Provinces of North America, &c. &c.

" A PROCLAMATION.

" Whereas, a most unprovoked and wicked rebellion hath for some time past prevailed, and doth now exist, within his Majesty's Province of South-Carolina; and the inhabitants thereof, forgetting their allegiance to their Sovereign, and denying the authority of the laws and statutes of the realm, have, in a succession of crimes, proceeded to the total subversion of all legal authority, usurping the powers of government, and erecting a tyranny in the hands of Congresses and Committees of various denominations, utterly un-

known and repugnant to the spirit of the British Constitution; and divers people, in avowed defiance to all legal authority, are now actually in arms, waging an unnatural war against the King. And whereas, all the attempts to reclaim the infatuated and misguided multitude to a sense of their error, have hitherto unhappily proved ineffectual, I have it in command to proceed forthwith against all such men, or bodies of men, in arms, and against all such Congresses and Committees thus unlawfully established, as against open enemies to the State. But, considering it, as a duty inseparable from the principles of humanity, first of all to forewarn the deluded people of the miseries ever attendant upon civil war, I do most earnestly entreat and exhort them, as they tender their own happiness, and that of their posterity, to return to their duty to our common Sovereign, and to the blessings of a free government, as established by the law; hereby offering in his Majesty's name, free pardon to all such, as shall lay down their arms and submit to the laws. And, I do hereby require, that the Provincial Congress, and all Committees of Safety, and other unlawful associations, be dissolved; and the Judges allowed to hold their Courts, according to the laws and constitution of this province; of which all persons are required to take notice, as they will answer the contrary at their peril.

“ Given, on board the Sovereign Transport, off Charlestown, this sixth day of June 1776, and in the sixteenth year of his Majesty's reign.

“ H. CLINTON, M. Gen.

“ By command of Gen. Clinton.

“ RICHARD REEVE, Sec.

“ *To the Magistrates of the Province of South-Carolina, to be by them, made public.*”

The proclamation, however, did not produce the effects which were expected; as the government was too consolidated, to be affected by an instrument of the kind; hence, no attention was paid to it; nor, was any answer to it, ever made. On the 7th of June, Col. Moultrie informed the President by letter, that several of the fleet, which had not come over the bar, had gone northwardly, perhaps to land troops. This, was soon ascertained to be the case; and that they had effected a landing on Long-Island, next to Sullivan's Island.

Immediately, on General Lee's receiving information of this debarkation, he on the 8th of June directed Col. Moultrie to detach Thomson's and Sumter's regiments of riflemen; and Captain Alston's, Mayham's, and Conturier's companies, to Long-Island; with orders to attack, and if possible dislodge the corps of the enemy which had landed there; and to make the attack, at break of day. This however, did not arrive in time, to be executed; and was therefore countermanded. On the 9th, President Rutledge invested General Lee, with the command of the forces; and on the evening of that day, the camp of troops in the rear of Fort Sullivan was broken up; and they were ordered, to "remove their baggage, and lodge within the fort:"* this, being the first time, when the troops, who were to defend that post, had moved into it. On the 10th, Captain De Brahm an Engineer, was sent to Sullivan's Island; to direct the throwing up some breast-works, adjacent to the fort, and at the advanced guard, at the point of the island, opposite to Long-Island. About this time it was ascertained, that the whole of the British land-forces were on Long-Island; amounting to near 3,000 men, under the command of Major General Clinton: who had

* Captain Mayson's Orderly Book.

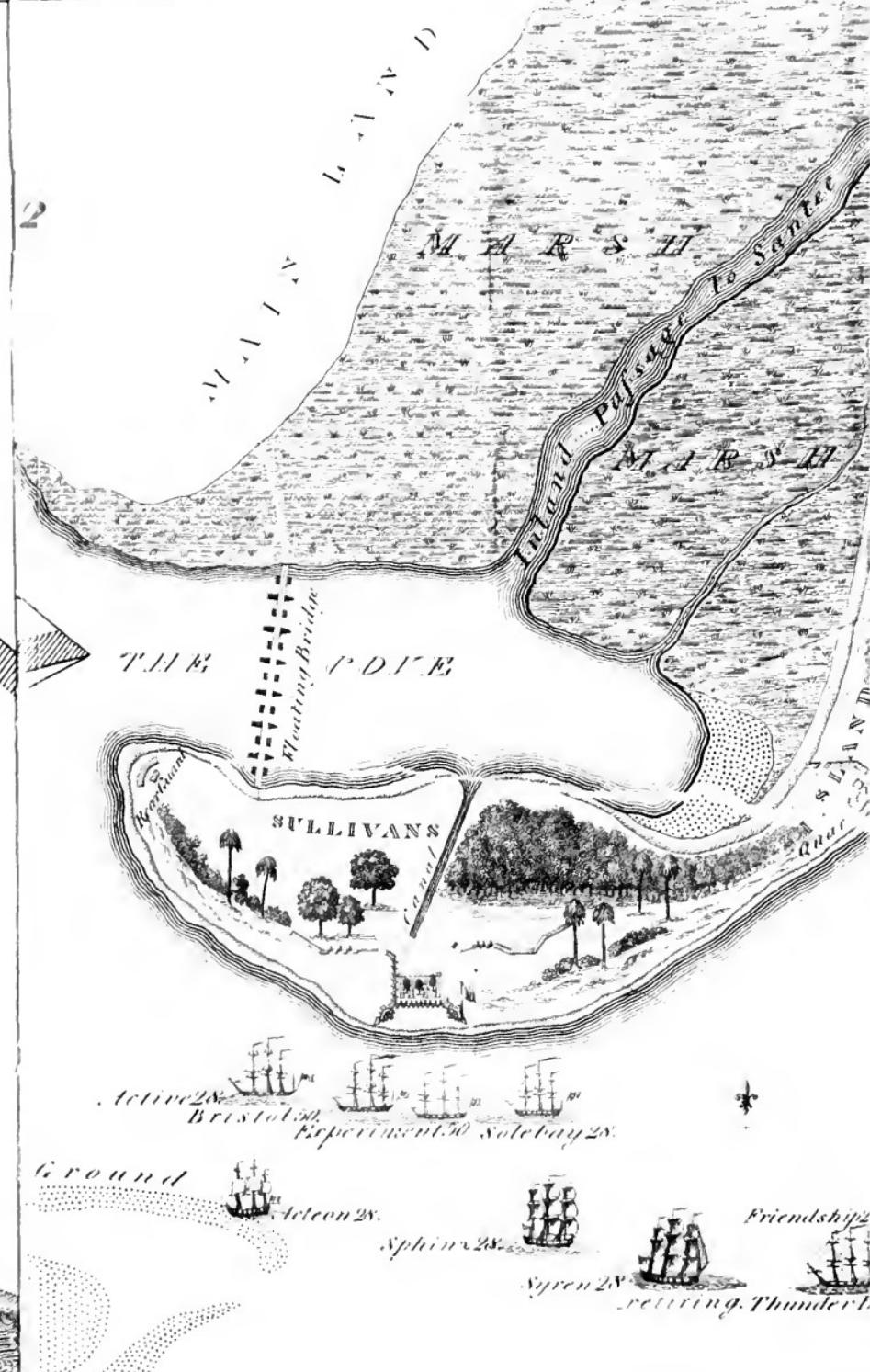
under him, Major General Lord Cornwallis, and Brigadier General Vaughan.

At this eve of a battle, which held in nice balance the destinies of South-Carolina; it is proper to ascertain with some accuracy, in what manner, Gen. Lee had posted the troops, upon whose valour and services, the safety of Charlestown and the colony depended. And what were the situation and strength of the forts, destined to oppose the approaches of the enemy.

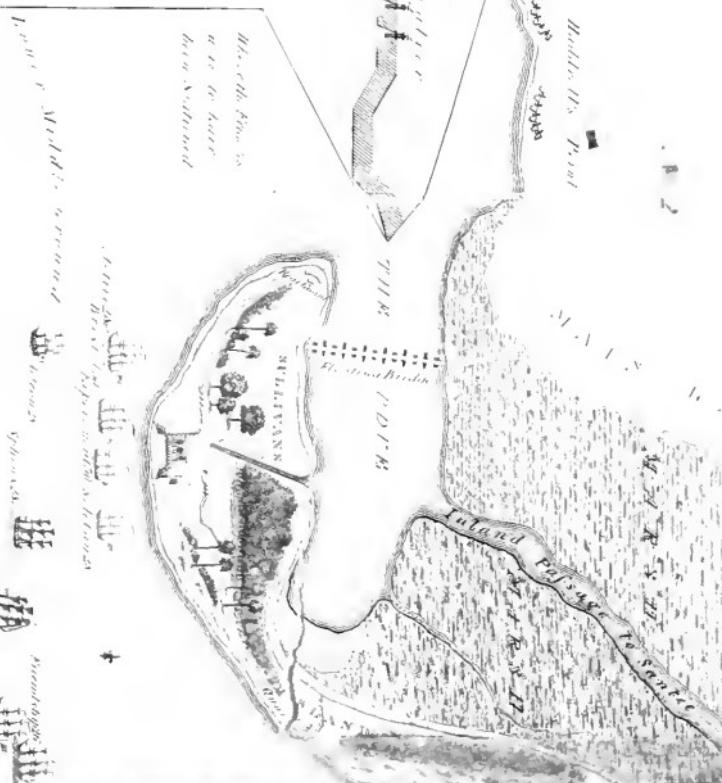
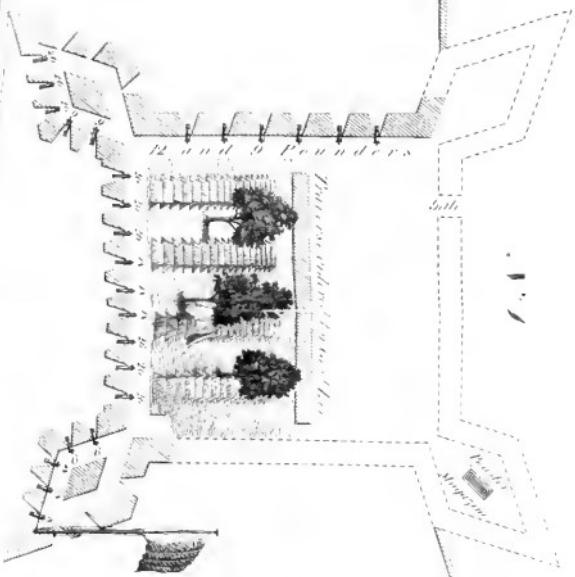
General Clinton having landed on Long-Island with all his troops, had made preparations, for passing the breach, between that and Sullivan's Island. He had thrown up two works, one for mortars, and the other for caisson: in addition to which, he had an armed schooner, and some floating batteries. Against this force, breast-works had been erected, on the north-eastern point of Sullivan's Island, distant about a mile; supported by a battery of one 18-pounder, and one brass field-piece, 6-pounder. These, were defended by the third Carolina regiment of riflemen containing upwards of 300 men—Col. Clark, with 200 North-Carolina regulars—Col. Horry, with 200 South-Carolina troops, the Racoone company of riflemen, 50 militia, and a small detachment of artillery—amounting to about 780 men: the whole, being under the command of Colonel William Thomson, of the third regiment of rangers. From this post, a line of barren sand hills, fronted by a hard beach, extended themselves along the sea-shore to Fort Sullivan; through a distance, of from two and a half, to three miles. And, Col. Thomson had orders, that should he find himself unable to prevent the passage of Gen. Clinton across the breach; he was to retreat, and reinforce the fort, with all his troops.

Between Col. Thomson's station and the fort, and somewhat more than a quarter of a mile from the fort, the narrow isthmus of the island at that place, was fortified across by a breast-work; where a quarter-guard, commanded by a lieutenant, was stationed.

The fort, was a square, with a bastion at each angle: sufficiently large, to contain when finished one thousand men. It was built of palmetto logs, laid one upon the other, in two parallel rows, at sixteen feet distance; bound together at intervals with timber dove-tailed, and bolted into the logs. The spaces between the two lines of logs, were filled up with sand; and the merlons were walled entirely by palmetto logs, notched into one another at the angles—well bolted together, and strengthened with pieces of timber. They were sixteen feet thick, filled in with sand, and ten feet high above the platforms: and the platforms, were supported by brick pillars. The fort was only finished on the front or south-eastern curtain and bastions, and on the south-west curtain and bastion: the north-eastern curtain, and the north-western curtain and bastions, were unfinished; being logged up, only about seven feet high. Necessity, however, devised an expedient for making the unfinished parts tenable against an escalade; by placing thick long planks upright against the unfinished outside wall, but inclined and projecting over it; which raised the height ten or fifteen feet more—and through which, loop holes were cut, for the use of rifles, or musketry. The platform therefore as finished, only extended along the south-eastern front of the fort—and its south-western side. Upon these platforms, the cannon were mounted. On the south-east bastion, the flag staff was fixed; bearing a blue flag with a white crescent; on which was emblazoned the word *Liberty*: and three 18, and two 9-pounders were mounted there.



172 Sketch of a part of Sullivan's Island. Notice the Wall and the Shelling during the attack of the 28th June 1776.



On the south-east curtain, six 26 French pounders, and three 18 English pounders were placed; and on the western bastion connected with it, three 26 French pounders, and two 9-pounds, were stationed. On the south-west curtain, six cannon were mounted, 12 and 9-pounds. Connected with the front angle of each rear bastion of the fort, lines of defence called cavaliers,* were thrown up for a small distance on the right and left of the fort; and three 12-pounds, were mounted in each of them. So that the whole number of cannon mounted in the fort and cavaliers on each side, were thirty-one; of which, only twenty-five at any possible time, could bear upon the enemy, stationed in front of the fort, and even then, four 9-pounds on the two inner sides of the front bastions could be scarcely used. Narrow platforms or banquettes were placed along the walls, where the plank was raised against them; for the men to stand upon, and fire through the loop-holes. Such was the situation of Fort Sullivan on the 27th day of June; and its garrison, consisted of the second South-Carolina regiment of infantry, amounting to 413 of all ranks; and a detachment of the fourth South-Carolina regiment of artillery of 22; amounting together to 435: the whole, being under the command of Colonel William Moultrie, of the above second regiment.†

Nearly midway between Fort Sullivan and Charlestowm, Fort Johnson was situated; having upwards of twenty heavy cannon of French 26 and English 18-pounds. Its garrison consisted of the first South-Carolina regiment of infantry, amounting to about

* The term Cavalier is here made use of, because they were called so, by the officers in garrison at that time; but, these two side-works, are more properly *Epaulements*.

† See Appendix to this Chapter, No. I

380; and a small detachment of artillery—commanded by Colonel Christopher Gadsden of the above first regiment. And nearer the town on its left was the battery on James' Island, mounted with about twelve heavy cannon, which raked the channel, in approaching Charlestown from Fort Johnson: and where, Captain Thomas Pinckney of the said first regiment with his company was stationed.

From Cummins' Point on Ashley River, along South-Bay and East-Bay to Gadsden's wharf on Cooper River; batteries, fleshes, and bastions mounted with cannon, were prepared to meet the enemy: and the fourth, or South-Carolina artillery regiment, as also a part of the militia acting as artillery, were divided into detachments for fighting the cannon at those positions. The remainder of the town militia, were to form at the State-House. The country militia were to form in that part of Lynche's pasture which is nearest the town; under the orders of Brigadier General Howe. And the North-Carolina troops, were to form two hundred yards in the rear of the country militia; to be considered as a corps of *reserve*, under the immediate command of General Lee. The total amount of these troops in Charlestown, was about 3,670; consisting of the 4th regiment of artillery 200—Charlestown militia 700—Country militia 1970—and North-Carolinian 800.* Fire vessels were also prepared, for annoying the British vessels should they be able to pass the forts, and present themselves before Charlestown.

The rest of the troops consisting of the Virginia regulars 500—North-Carolina regulars 600—Fifth South-Carolina rifle regiment 268—Sixth South-Ca-

* See Appendix, No. II.

olina rifle regiment 160—and militia artillery 40—amounting in the whole to about 1,568; were stationed, partly at Haddrell's Point; and in advanced parties to the left of it, opposite to Sullivan's and Long, Islands. These troops, were immediately under the command of Brigadier General Armstrong.

On the morning of Friday the 28th day of June, Col. Moultrie rode to the north-eastern point of Sullivan's Island, to visit the troops stationed there, under Col. Thomson. When he arrived, he saw the enemy's boats in motion at the back of Long-Island; as if, they intended a descent upon that advanced post: and at the same time, he perceived the men of war, loose their top-sails. This, having been the signal of their getting under way the day before, he hurried back to the fort; and on his arrival, immediately ordered the long roll to beat, and the officers and men to their posts. The guns were scarcely manned, and powder issued from the magazine, when the British squadron was perceived with their courses drawn up, bearing down upon Fort Sullivan; and at the same time, between ten and eleven o'clock, the Thunder bomb-ship, covered by the Friendship armed vessel of twenty-six guns, anchored at the distance of a mile and a half, bringing the salient angle of the eastern bastion to near north by west, and began to throw shells upon the fort; one of which, fell upon the magazine—but, did no considerable damage. The flood tide being strong, and the wind fair from the southward and west, the Active, 28 guns—the Bristol, 50 guns—the Experiment, 50 guns—and Solebay, 28 guns, soon came within striking distance of the fort: when, a fire of cannon commenced upon them from the south-western bastion. But the Active, which was the leading ship, continued her course, until she arrived within four hundred yards of the fort: when,

she anchored with springs on her cable, and poured in her broadside of cannon-balls. The Bristol, Experiment, and Solebay, ranging up in the rear of the Active, anchored in like manner, leaving intervals between each other; and the Syren and Acteon of 23 guns, and Sphinx, of 20 guns, formed a line parallel with them, opposite the intervals. The example of the Active was followed by the ships, as they took their stations; and a heavy and incessant cannonade issued from their batteries: while from the fort a return was made, slow, but sure. When this severe trial of metal and skill, was going on between the veteran ships of the British navy, and the newly raised troops of an infant republic, from a low fort of palmetto logs; the Thunder, bomb-ship, was throwing thirteen inch shells in quick succession—several of which, fell into the fort: they were however, immediately buried in the loose sand, so that very few of them burst upon the garrison.

No prospect, of silencing the fort, appearing; about 12 o'clock, the Acteon, Sphinx and Syren, were ordered to pass the fort, and take a position in Rebellion Road towards the cove of Sullivan's Island; for the purpose of enfilading the front platforms of the south-east curtain and its two bastions—whose fire, was dreadfully destructive to the British ships and crews. This manœuvre, was what General Lee had foreseen; but, Almighty Providence confounded the plan; and, frustrated the attempt. For, while the detached frigates, were standing well over towards the Lower Middle-Ground opposite the fort, so as to make a tack and pass clear of the front line of ships, then closely engaged; they got entangled on the shoal—when the Sphinx and Acteon ran foul of each other. The Syren got off, as did the Sphinx, with the loss of her bowsprit: but the Acteon, was left immovably

fixed on the sand. The Sphinx and Syren, now retrograded; and bearing away under cover of the ships engaged, they retired awhile, to prepare themselves for farther action. About this time of the day, the Thunder bomb-ship, having thrown fifty or sixty shells, with little effect, ceased firing. This, was occasioned by her having anchored at too great a distance; and the Engineer, (Col. James of the Royal regiment of artillery) was therefore compelled to overcharge the mortars: whose recoil shattered the beds, and so damaged the ship, as to render her unfit for farther service. The combat, was now only kept up, by the four ships first engaged: and in the afternoon, the enemy's fire was increased, by a reinforcement of the Syren and Friendship. During this severe cannonade, barges passed from one ship to the other, and to and from the transports; for the purpose of removing the wounded, and obtaining fresh men, as occasion required; and the firing from the ships continued animated, and incessant, until near seven o'clock in the evening. From this time, it slackened with the setting sun; and they only returned the fire from the fort, which was opened upon them now and then; but, in doing so, they returned it twenty fold. At half past nine, the firing on both sides ceased; and at 11 o'clock, the ships slipped their cables, without any noise or piping; and returned with the last of the ebb tide to their station near Five-Fathom-Hole.*

The engagement had scarcely begun, when General Clinton made dispositions for attacking the north-east end of Sullivan's Island, defended by Colonel Thom-

* Through the enterprize of our citizens, some of their anchors have been recovered; and on this 28th June 1821, a public notice was fixed up at the Exchange in Charleston, that one of these anchors, weighing upwards of 4,400 pounds weight, (and which probably belonged to one of the 50 gun ships,) was to be seen on a wharf in the city.

son. For this purpose, the armed schooner Lady William and a sloop, which had been lying in the Creek between Long-Island and the main, came nearer that advanced post for the purpose of covering the landing of the British troops—a number of shells were thrown from the mortar battery upon the entrenchments on Sullivan's Island—and the soldiers and some light field-pieces, were embarked in boats: but Thomson returned their fire from his 18-pounder; which evincing, their passage across the breach would be disputed with heavy cannon, discouraged the enemy from making the attempt; and they remained quiet spectators of the action during the rest of the day. About five o'clock in the afternoon, Col. Thomson was reinforced by Col. Muhlenburg, with seven hundred continentals from Haddrell's Point; which, rendered his situation more safe, against any attempts from Long-Island; and effectually put to rest, any desire, which General Clinton might still have entertained, for visiting Colonel Thomson's quarters.

At the commencement of the action, Colonel Moultrie, was only provided with 4,600 pounds weight of powder; equal to about twenty-six rounds for the cannon, and twenty rounds of musketry each man. Soon after the action began, a farther supply of powder of 500 pounds weight, was obtained from Charles-town; and 300 pounds weight from the South-Carolina schooner Defence commanded by Captain Tufts, then lying in the cove at the rear of the fort. So, that the whole amount of powder with which Colonel Moultrie was supplied, for maintaining that important fortress, was only 5,400 pounds weight.

While the British men of war, were pouring their broadsides, in one continued storm of balls and grape

shot; the cannon from the fort were slowly discharged, after being pointed with precision by the officers commanding: hence, almost every shot from the fort, took effect; which in a great degree made up for the scarcity of powder. On this occasion, the fort expended, during the action, about 4,766 pounds weight of powder: while the Bristol alone, carrying the Commodore's flag, expended 150 barrels of powder; equal to about 15,000 pounds weight.* The Experiment carried 12-pounders, on both decks: therefore, calculating at one third the weight of powder to the ball, she probably expended in the same time, about 70 barrels of powder. On this calculation, allowing 36 barrels to the Active and Solebay, constantly engaged, 20 to the Syren and Friendship, partially engaged, and 10 to the Acteon—an amount of 340 barrels of powder is produced, (besides, what the Thunder bomb-ship used;)—equal to about 34,000 pounds weight of powder; and at three for one, to 102,000 pounds weight of shot. Many, of these balls, were buried in the spungy logs of the fort; many, passed over the island, into the marsh, towards the main; and it was computed not less than 12,000 shot, were discharged against the fort; of which, 1,200 shot of different calibers, and some thirteen inch shells, were collected in the fort and its vicinity, a few days after the action; which more than reimbursed the number of shot, which had been discharged from the fort.†

Soon after the action commenced, the three 12-pounders which were in the cavalier, to the left of the fort, were abandoned; the works not being sufficiently high, to protect the men who manned them.

* She carried 32-pounders, on her main deck.

† See the London Remembrancer for 1776, Part III. page 71

And some time after, the flag-staff of the fort, was shot away; and fell with the flag outside of the fort. Serjeant Jasper of the grenadiers of the second regiment, no sooner perceived this misfortune, than he leaped down from one of the embrasures, and disengaging the flag from the staff, he returned with it through a heavy fire from the shipping; and fixing it on a spunge-staff, he planted it once more on the summit of the merlon, amidst a shower of balls. Then giving three cheers, he retired to his gun; where, he fought throughout the engagement. The loss of this flag, was observed at the different posts, and at Charlestown; when some thought the fort had surrendered: but with its restoration, the drooping spirits of the people were restored—and, while they gloried in the gallantry of the garrison of Fort Sullivan; they offered up their prayers to heaven, for victory.

The fire from the fort, was principally directed at the Bristol and Experiment ships, carrying each, fifty guns. The first, was the flag-ship, on board of which Sir Peter Parker was stationed: and Lord William Campbell, the late Governor of the Province, having volunteered his services on board, he was complimented by Sir Peter, with a command on her lower deck. Twice was Sir Peter's quarter-deck cleared of every man but himself, by the deadly fire from the fort; and, even Sir Peter himself, received two wounds: the gallant Commodore, however, remained at his post, encouraging his crew, and reinforcing his ship with men, from the other vessels, not so hotly engaged. At one time, the spring-rope of his ship was shot away; when the Bristol swang round by the wind, and rode with her stern to the fort. All the fort guns, were therefore pointed at her; and for some time, she was raked fore and aft—the word passing along the platforms of the fort, “*to mind the Commo-*

dore—mind, the two fifty gun ships.” The day, being very sultry with a burning sun; the wind was extremely light, and the water consequently smooth. Had it been otherwise, it is probable the Bristol could not have been kept from filling; as she was shot through in many places, betwixt wind and water; and was otherwise so damaged in her large knees and timbers, that the carpenters of the squadron, were called to her assistance, while the battle raged in all its fury. The Experiment, was also exceedingly damaged in her hull; several of her ports, being beaten in.*

On the part of the fort, at one time, three or four of the enemy’s broadsides struck the merlons, at the same moment; which gave them such a tremor—that it was apprehended, a few more, equally well delivered, would have tumbled them down—and during the whole engagement, the south-western curtain of the fort was so enfiladed by the line of fire from the ships—and the cannon mounted there, were so often struck and indented by balls and grape-shot—that had the frigates taken their station at the cove as was intended, they could not have been opposed from the guns on this side; as the men on the platform would have been exposed to the raking fire of the shipping in front of the fort; which unless the frigates could have been beaten off by the batteries at Haddrell’s Point, at long shot, would have made it a slaughter stage indeed, as General Lee had said.

While the battle was raging, Gen. Lee dispatched a letter to Col. Moultrie, by Major Byrd, one of his aids; ordering him if he should expend his ammunition, without beating off the enemy, or driving them on

* See Appendix, No. V

ground; to spike up his guns, and retreat with all the order possible: he however intimated to him, that he knew the Colonel would be careful, not to throw away his ammunition.* Thus situated, Col. Moultrie was placed in a most delicate situation. If he exhausted his ammunition, he was to desert the fort; and thereby subject Col. Thomson at the extreme end of the island, to be cut off, with the whole of his command. If he could retain a part of the ammunition, he was not required by the order to abandon the fort. He prudently pursued the latter mode of conduct; and by ordering the discharges of the cannon to be slackened to intervals of about ten minutes each gun; he was enabled so to protract the defence—as to save himself the dishonour, and his country the loss, which would have resulted had the fort been so hastily abandoned. The powder, however, getting much reduced, and a rumour spreading, that the British troops had effected a landing between Col. Thomson and the fort; Colonel Moultrie ordered the cannon to cease firing; or if they did, to fire extremely slow upon the shipping.† And hence, it was supposed by the British, that at this period, the fort was silenced.‡ This, was between the hours of three and five, in the afternoon. However, a supply of powder being received; the firing from the fort was delivered at shorter intervals, through the remainder of the day. About five o'clock in the afternoon, when the supply of powder arrived, General Lee with his aids passed in a

* See Appendix, No. III.

† At this time, the powder was almost expended; only a few cartridges being left for grape-shot, in case the enemy should attempt to land, from the shipping or from Long-Island.

‡ At this time, Lieutenant Spencer of the artillery, came on the platform, ready to spike the cannon when ordered; but Col. Moultrie ordered him to carry off the spikes.

boat from Haddrell's Point to Fort Sullivan, through the British line of fire: and ascending the platform of the fort, he pointed two or three of the cannon, which were discharged at the enemy. He remained there, about a quarter of an hour; then saying to Col. Moultrie, "I see you are doing very well here, you have no occasion for me—I will go up to town again;" he left the fort in the care of those, who had so well defended it; and returned to Haddrell's Point through the same line of fire, in which he had proceeded.*

From every information, respecting the situation of the enemy, there is reason for believing, that had the fort been better supplied with powder, so that a cessation of firing for two hours, with trifling exceptions, had not taken place, the two fifty gun ships, would have been obliged to strike their colours, or they would have been sunk. As during a good part of the day, the tide was against their retreating; and if they had proceeded towards Fort Johnson or Charlestown, they would have had greater force and difficulties to contend with. And such was the slaughter on board of these two ships, before the fire of the fort slackened; that a remonstrance was made to Sir Peter Parker, that if the fire from the fort continued equally severe, these two ships and their crews, would be destroyed. It was then contemplated, to abandon them; and to tow off the frigates: but, by this time, the fort, through the want of ammunition, was in a manner placed *hors de combat*; by which, his Britannic Majesty's ships were saved, from total ruin.

* See an extract of a letter from General Lee, dated Charlestown, July 2d, 1776, to the President of Congress: giving an account of this engagement—in the London Remembrance for 1776, Part III. page 70. Also, as issued in General Orders, by General Washington at New-York—Part III. page 71.

This heavy and continued cannonade from the British ships of war, damaged the fort in a very small degree; as most of the shot passed over it towards the main land, cutting off the branches of trees in their way. Many shot however struck the fort, and penetrated the palmetto logs; but their spongy texture received them without any splinters being detached; and hence, less injury was done to the garrison, than might otherwise have taken place. Ten men of the second regiment, one matross of the fourth regiment of artillery, and a mulatto boy, belonging to Lieutenant Dunbar were killed; and twenty-three of the second regiment including two officers, Lieutenants Henry Gray and Thomas Hall, and two matrosses of the fourth regiment of artillery, were wounded: the total number of killed being twelve, and the wounded twenty-five.* The eighteen-pounder next but one to the flag-staff, in the south-eastern bastion, had a large piece of its muzzle shot off: and the next eighteen-pounder westward of it, which was commanded by Captain Ashby, was at one time divested of half the men who manned it. For, as six men (three of a side) were in the act of hand-spiking the piece up to the embrasure, after its being loaded; a cannon-ball entered the embrasure, and cut down at once, all three of the men who were on one side. Their names were, Luke Flood, Richard Rodgers, and Isaac Edwards, belonging to Captain Ashby's company;† and so deadly was the effect of the ball which struck them, that they fell down on the platform immediately, torn to pieces; and without saying a word, gasped away their lives. Not quite so sudden a death had the

* Five of these wounded, died soon after.—See Appendix, No. I. and No. IV.

† See Appendix, No. IV. *ddd.*

noble-minded Serjeant M'Daniel* of Captain Huger's company; for, although he had his stomach and bowels shot away by a cannon-ball, yet life and vigour remained in him long enough, to enable him to address his comrades in these words: "*Fight on my brave boys; don't let liberty expire with me to-day.*" So noble a sentiment, passed with rapidity along the platforms; animating the officers and men with an increased desire of performing their duties; and of revenging the death of a man, so honorably transferred, in the service of his country!†

In this action, the Bristol and Experiment were greatly damaged, in their hulls, spars, and rigging: and they were shot through by many of the 26-pound shot; it is said not less than seventy balls went through the Bristol. She had upwards of one hundred men killed and wounded, and the Experiment not much less: and each of their Captains lost an arm, and died in a few days after.‡ Twice, the quarter-deck of the Bristol, was cleared of every person, except Sir Peter; and he received two splinter wounds, one on his thigh, and the other on his knee. The Bristol had nine 26-pound shot in her mainmast; which obliged them to cut it away fifteen feet below the hounds—her mizen-mast was stricken by seven 26-pound shot, and was so shattered, as to render it necessary for its entire removal. The Experiment, had her mizen-gaff shot away; the other vessels sustained but little damage, as the fire from the fort was principally directed upon the Bristol and Experiment.

* In accounts given of this battle, he has heretofore been erroneously called McDonald.

† See Appendix, No. IV. a.

‡ Captain Morris of the Bristol, and Captain Scott of the Experiment.

The Solebay, had eight men killed, and four wounded. The Active, one lieutenant killed, and six men wounded.* And Lord William Campbell, who during part of the action had commanded and fought some of the lower-deck 32-pounders of the Bristol, received a wound in his left side, which, it is said, ultimately caused his death.†

The morning of the 29th of June, presented a humiliating prospect, to British pride. To the south-west of the fort, at the distance of near a mile lay the Acteon frigate fast ashore on the Lower-Middle-Ground. Below the fort about two miles and a half, the men of war and transports were riding at anchor, opposite Morris' Island; while Sir Peter Parker's broad pendant, was hardly to be seen, on a jury main-top-mast, considerably lower than the fore-mast of his ship. And on the left, General Clinton was kept in check, by the troops under Colonels Thomson, and Muhlenburg. On the contrary, how glorious were the other points of view? The azure colours of the fort, fixed on a sponge-staff, waved gently on the winds—Boats were passing and repassing in safety, from and to, the fort and Charlestown—And the hearts of the people were throbbing with gratitude, and the most exhilarating transports!

At this time, the garrison at Fort Moultrie,‡ fired a few shots at the Acteon; which were returned from her by Captain Atkins: and to prevent her falling into

* See Appendix, No. V.

† See Sir Peter Parker's account of this engagement, in the London Remembrancer for 1776, Part II. page 189; also other accounts respecting the same, pages 191, 192, 264 to 267, 314 to 319.

‡ From this time, in commemoration of the victory, and in honour of Col: William Moultrie who won it, the fort was called after his name.

our hands, he set fire to, and quitted her, with his crew—leaving her colours flying, and her cannon loaded. But this did not prevent her being taken possession of. For Lieutenant Jacob Milligan of the Prosper ship of war, and a party of men, went down to her in three boats—boarded her while on fire—pointed and fired, three of her guns, at the British Commodore—stripped her, of what the pressing moments permitted—and finally brought off her colours, ship's bell, and as much of her sails and stores, as his boats could contain. He had scarcely done this, when the Acteon blew up, with an awful explosion; and the smoke ascending in column, and afterwards expanding around, is said at its first expansion, to have formed an appearance, not unlike the majestic stem and umbrella top of a palmetto-tree. This display, was therefore peculiarly grateful to the pride and feelings of Carolinians; as the fort, which had protected the town, and had obtained the victory, was principally constructed with the stems of the palmetto-tree. In the course of this day, many were the greetings which took place at Sullivan's Island, between the garrison of the fort and their friends from Charlestowm; and Mr. William Logan sent the garrison a present of a hogshead of excellent Antigua rum. His Excellency the President also presented them with a hogshead of rum, desiring his particular thanks to the brave officers and men: and assuring them, General Lee said no men ever did, and no men ever could, behave better—and that he would do them justice in his letters to the Continental Congress.

On the 30th of June in the afternoon, Gen. Lee and suite reviewed the garrison at Fort Moultrie drawn out in order for the occasion; when he repeated his thanks to them; adding, he was happy he could do so personally. And that he now thanked them

“for their gallant defence of the fort, against a fleet of eight men of war and a bomb; during a cannonade of eleven hours, and a bombardment of seven hours.”

At the same time, the Lady of Major Barnard Elliott, presented an elegant pair of embroidered colours to the second regiment; which were received in front of the same, by Colonel William Moultrie, and Lieutenant-Colonel Isaac Motte. On which occasion Mrs. Elliott delivered the following address:

“Your gallant behaviour, in defence of liberty and your country, entitles you to the highest honour—accept of these two standards, as a reward, justly due to your regiment. And, I make not the least doubt, under heaven’s protection, you will stand by them, as long, as they can wave in the air of liberty.” To this Col. Moultrie replied, that in behalf of himself, his officers, and men of the Second Regiment of Infantry, he returned thanks for the same: promising “that they should be honorably supported, and never should be tarnished by the Second Regiment.”*

On the 4th of July, President Rutledge visited the garrison at Fort Moultrie; when he returned his thanks to them, for their gallant conduct, in the defence of that fortress. On this occasion, he brought into view, the heroic behaviour of Serjeant Jasper, in replacing the fort colours, which had been shot away in the action; and, taking his own sword from his

* This promise, was strictly fulfilled. They were afterwards planted on the British lines at Savannah; one of them by Lieutenant Bush, who was immediately shot down; the other, Lieutenant Hume was going to plant also on the lines, but was shot down—and Lieutenant Gray, in supporting them, received a mortal wound: the gallant Jasper, then took up the colour and planted it on the British lines, where he received a severe wound: however, he brought off the colour with him in the retreat; and they were finally taken by the British at the fall of Charlestown in 1780. One of them was a blue, and the other a red, silk, richly embroidered.—Moultrie’s Memoirs, vol. I. p. 182.

side, he presented it to Serjeant Jasper, as a reward for his bravery; and an excitement, to farther deeds of valour.* By authority of the President, the fort was also honoured with the name of Moultrie, so well earned, and so appropriately conferred; and so soon as time would allow, the thanks of the Continental Congress, were received in the following words:

“ *Philadelphia, July 20th, 1776.* ”

“ IN CONGRESS.

“ *Resolved,* That the thanks of the United States of America be given to Major General Lee, Colonel William Moultrie, Colonel William Thomson, and the officers and soldiers under their commands; who, on the 28th of June last, repulsed, with so much valour, the attack which was made on the State of South-Carolina, by the fleet and army, of his Britannic Majesty.

“ That Mr. President transmit the foregoing resolution, to Major General Lee, Col. Moultrie, and Col. Thomson.

“ By order of the Congress.

“ JOHN HANCOCK, *President.* ”

About ten days after the action, a number of the enemy's transports, received from Long-Island the troops which had been there landed: and at the same time, some of the frigates and armed vessels went over the bar. And, on the 14th July the Bristol made an attempt to go over, but struck; she got off, however, without injury, and afterwards passed the bar. The transports, with the Solebay, Thunder Bomb, Friendship, and some of the small armed vessels,

* Major Barnard Elliott's Orderly Book, under date 4th July 1776.

sailed on the 21st of July; and on the same day, a brigantine mounting six 4-pounders, having on board fifty soldiers and six sailors, got aground near Dewees' Inlet: when Lieutenant Pickering with twenty-four volunteers, came alongside of her in a large boat which had been constructed for bringing wood to market, on which had been mounted one 18-pounder, and some smaller cannon, as a floating battery; and took the brigantine with all the men, except four of the crew, who escaped in the vessel's boat.

On the 25th July, the Experiment went over the bar; and passing out to sea, came to anchor near the Commodore, Syren, and three transports, at which time, a frigate joined the Commodore from sea. And next morning, she sailed to the southward; and two days after, the Syren followed her. On the 2d of August, the Active, Sphinx, and a large transport, being all of the enemy's ships within the bar, went out to sea; and, with the Bristol, Experiment, three transports and a tender, departed on an E. N. E. course; leaving South-Carolina and its coasts once more, clear of the enemy.

This defeat, created disputes between the British naval and land forces; which would have been injurious to any other operations undertaken in conjunction by them. For, it had been agreed, that when the squadron was engaged with the fort, the land-forces were to pass from Long-Island to Sullivan's Island; and forthwith to march and attack the fort, on the north-east and north-west curtains, which, were then in an unfinished state, and undefended by cannon. But General Clinton was awed, by the difficulties of the passage across the breach; increased in no small degree by the flood tide, which took away every idea of fording, even had it been fordable: beside which,

Colonel Thomson's entrenchments and attitude were imposing—and he had not yet forgotten, the breast-works of Bunker's Hill.* In addition to these obstacles, for want of better information, he was impressed with the idea, several thousand men were stationed there, to dispute his passage; supported by a strong battery. He gave these reasons, for his inactivity; as also, the depth of the water between the islands: but instead of satisfying the navy, they only increased the dissensions.

Upon the departure of the British armament, the militia which had been drawn from the interior, were discharged; 1972 of these, had been on service for the month of June; and a like number, for that of July: making an aggregate of 296 officers, and 3648 privates. Their expenses, were sixteen shillings and nine-pence one farthing currency per day, for each man; exclusive of provisions, fire wood, &c.: which it is supposed, would increase the expense of their maintenance, to more than twenty shillings daily, for each man.† Upon these data, the following calculations are made.

1,972 officers and men per day at 20s. each, £1,972, currency.

Expenses for the month of June,	£59,160 0 0
Do. do. for July,	<u>59,160 0 0</u>

Reduced into Sterling at 1 for 7, 7)	<u>118,320 0 0</u>
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Sterling,	<u>£16,903 0 0</u>
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Brought into Spanish Dollars, \$72,441.

* Gen. Clinton had a command of British troops in the attack of Bunker's Hill; and conducted himself, with much bravery, during that engagement.

† See Appendix, No. VI.

Such were the expenses for maintaining the militia alone, at this important crisis: in addition to which, when that of the other troops, and those from North-Carolina and Virginia are brought forward, an expenditure of money could be shown, to a very large amount. This will give a small insight of the great expenses, to which the exigencies of the times gave rise; and the heavy calls, which were made for their payment, upon the public treasury.

By this victory, the colony was placed in a state of security; and the troops and their Commander at Fort Moultrie, gained a well-earned reputation: in defiance, as it were, of General Lee. For, it has been seen, that he was by no means sanguine of success from this quarter; in so little, that after the engagement had continued about two hours, he wrote from Haddrell's-Point to Colonel Moultrie, in the following words: "Dear Colonel—If you should unfortunately expend your ammunition without beating off the enemy, or driving them on ground, spike your guns—and retreat with all the order possible. But, I know, you will be careful not to throw away your ammunition." About the same time, President Rutledge wrote a very different letter: "Dear Sir—I send you five hundred pounds of powder. I should think you might be supplied well, from Haddrell's. You know, our collection is not great. *Honour and Victory*, my good Sir, to you, and our worthy countrymen with you. Do not make too free with your cannon: cool, and do mischief."

On this occasion, as has been mentioned before, Col. Moultrie finding the fort was tenable against the attack of the shipping, moderated his fire; and at length reserved a part of his powder: that he might not, in consequence of Lee's order, be obliged to relin-

quish the fort. In this, he behaved prudently: but, failing in another instance, the enemy escaped certain destruction. For, in the beginning of the action, he asked his Lieutenant-Colonel, Isaac Motte, whether he should send for more powder? To be sure, says Motte; and, write in the most pressing terms. Moultrie then wrote to General Lee, supposing he was in Charlestown, in the following manner: "I believe, we shall want more powder. At the rate we go on, I think we shall. But you can see that. Pray, send us more, if you think proper." Had he written only the word *powder*, he would have done better. When this letter arrived in Charlestown, General Lee had left it, for Haddrell's Point; and, as the case was urgent, and did not admit of delay, the letter was carried to President Rutledge. Upon considering its contents, neither the President, nor his Privy Council who were with him, thought it implied that he positively required a supply of powder: and, of course the President only ordered five hundred weight of that article to be sent to him; and that was accompanied with the laconic letter, which has just been mentioned.*

However, notwithstanding all these marplots, Moultrie gained the day; and, it is hence curious to trace, how much upon accident, the fortunes of that gentleman then depended. He, was an officer of very easy manners; leaving to others many things to perform, which his own personal attentions would have much quickened. This was a source of much writing, and indeed of complaint, from General Lee to him: as Col. Moultrie has shown in the Memoirs, which he published. Lee was extremely solicitous for the safety of the troops in the fort; because, he was aware

* Wm. H. Drayton's Manuscript, vol. 2d, p. 47

it might be enfiladed: and to protect the men in some measure therefrom, he had urged Colonel Moultrie to raise screens of plank upon the platforms; but they had not been done. These things, therefore, pressed on the mind of General Lee the day before the battle; and, in the night of the 27th of June, he told Colonel Nash of the North-Carolina line, to come to him next morning for written orders, to take the command of Fort Sullivan—and, Col. Nash was on his way the next morning to the General for such orders, when the movements of the ships to the attack, stopped him. And thus, by accident, Colonel Moultrie was continued in a command; which, enabled him to perform an action of greater eclat—than any which had been done, since the commencement of the war.*

It has been shown, that the land-forces remained on Long-Island, about ten days after the victory of the 28th; before they were embarked: and, it was a matter of surprize to many, that General Lee allowed them to remain there so tranquil. He indeed did apply to the President for boats, for the transportation of a body of men over to Long-Island; and a number were provided, equal to the transportation of thirteen hundred men. But, it ended in nothing—although, the enemy were gradually embarking; and he might have chosen with some precision, what number it would be prudent for him to engage. A small party, however, of about sixty British troops, landing for the purpose of procuring water on the Light-House-

* Wm. H. Drayton's Manuscript, vol. 2d, p. 48.

* On the morning of the action, General Lee, on leaving the President to pass over to Haddrell's Point, said; he was determined to supersede Colonel Moultrie that day; if, he did not, on his going down, find certain things done, which he had ordered.—Memorandum in Wm. H. Drayton's hand writing, among his papers; he being then a member of the President's Privy Council.

Island; General Lee detached Colonel Martyn with three hundred and twenty men, to dislodge them. The detachment, was unacquainted with the ground; and for that reason, only two small parties, of forty, and twenty-five men, were sent forward in advance, with a guide. When they were discovered, the enemy retreated into the light-house; and the advance parties returned to the main body under Col. Martyn; which, instead of advancing upon the light-house, retreated to their boats; notwithstanding the pressing solicitation of Captain Richardson of the South-Carolina rifle regiment—who requested the command of a detachment, with which, he would assault the light-house in which the enemy had posted themselves. The General said, the Colonel had behaved as a good officer: the public, were of a very different opinion.

Upon the whole, however disagreeable General Lee's manners were, and his modes of doing business; yet giving every due consideration to the responsible situation in which he was placed, there is much reason for being thankful, that he was sent on to command, against the invasion of the British forces. He taught us, as General Moultrie observes in his Memoirs, to think lightly of British armaments, and British troops; that is, he taught us to respect ourselves, and to trust to our courage and exertions for our own safety. And he greatly forwarded the public defences and fortifications, which were so necessary for meeting the attacks of the enemy, and for the security of Charlestown.* And although General Clinton did not defile by his right, and march upon the troops at Haddrell's Point, as Generals Lee and Armstrong supposed might be in view; yet the frequent reconnoitring of landing places

* See Appendix, No. II.

on the main by the British, certainly afforded very good grounds for such an opinion: which, if General Clinton had effected, he might have overcome General Armstrong in his position at Haddrell's; and thereby have effected a diversion of a more serious nature, than even if he had attacked the fort on Sullivan's Island, in conjunction with the British shipping. For, it would immediately have led to the capture of Fort Sullivan, with all the troops on that island: as all supplies or aid would have been cut off; by the British shipping on one side, and the British troops on the other. This mode of attack, however, was not attempted: and perhaps it was fortunate it never was. While it remains for us to rest satisfied, that the means used, and the plans pursued, were all directed, or permitted, by that Almighty Power, in whose hands, are the destinies of nations; and whose intentions at that time were, to favour the injured rights and liberties, for which America was contending—and, to avert for awhile, for the strengthening and encouraging of American opposition, the fall of Charlestown, with all the distressing consequences, which would result therefrom.

The enemy had scarcely sailed, when an express arrived from the Continental Congress on the 2d of August, with accounts; that on the 4th day of July, that body, had declared the United Colonies, Free and Independent States. And it is worth noting, the immediate connexion which that declaration had, with the action of the 28th of June; as on that very day, the Committee of Congress consisting of Mr. Jefferson, Mr. J. Adams, Mr. Franklin, Mr. Sherman, and Mr. R. R. Livingston, who had been appointed to prepare a Declaration of Independence, brought into Congress a draft of the same: which was read, for

the first time.* The account was received, with the greatest joy; and on the 5th of August, Independency was declared by the civil authority: the President, accompanied by all the officers, civil and military, making a grand procession on the occasion. And, in the afternoon of the same day, in pursuance of general orders for that purpose, the whole of the troops then in Charlestown, as well continental as provincial, were paraded near Liberty-Tree;† where, the Declaration of Independence was read to them, by Major Barnard Elliott;‡ after which, an address was delivered on the occasion, by the Reverend Mr. Piercy.

Robert Cunningham had been committed to the gaol in Charlestown, by order of the Provincial Congress on the 1st of November last; and had been detained there, until now; during which time, he was supported at the public expense, in a manner suitable to his standing, among the inhabitants of the upper country. He was also treated kindly; and, was permitted occasionally to receive visits from such gentlemen, as were well disposed to the American cause. These, took every opportunity of softening his antipathies, and of persuading him to drop the opposition in

* New edition, *Laws of the United States*, vol. I. p. 7.

† Liberty-Tree, was a Live-Oak-Tree, (*quercus Semper virens*,) which grew just beyond Gadsden's and Lynch's pasture, over the Creek at Hampstead. It was so called, in consequence of Christopher Gadsden and twenty-five other persons, meeting under that tree, in the autumn of the year 1766, after the repeal of the Stamp-Act; where a suitable collation was served. Here, they talked over the mischiefs which the Stamp-Act would have induced; and congratulated each other on its repeal. And on this occasion, Mr. Gadsden delivered to them an address, stating their rights; and encouraging them to defend them, against all foreign taxation. Upon which, joining hands around the tree, they associated as defenders and supporters of American liberty. And from that time, this Oak-Tree was called *Liberty-Tree*: and public meetings were sometimes holden, under its friendly shade.

‡ See the Declaration of Independence, at the latter end of Chapter XVIII

which, he had engaged. They so far prevailed, that in February last he petitioned the Provincial Congress for leave to observe a neutrality; and it was presented and read accordingly. But, the Congress did not favour the object of his petition; and he consequently remained in confinement. It was now supposed, that when the British invasion was completely frustrated, and the efficiency of the government fairly brought into proof; a generous conduct towards him, and the rest of the back country prisoners who were in confinement with him, might produce happy results; in harmonizing the opinions of the discontents, in the part of the State where he and they resided. For these reasons, they were now all released from custody, and returned to their habitations, and families. Such, however, are the variant opinions of men, that this measure of the President and his Privy Council, grounded on an enlarged and liberal policy; was not received in the back country, with that forbearance and satisfaction, which had been anticipated. On the contrary, all ranks of people in Ninety-Six District, and parts adjacent, were alarmed at the proceeding; the ignorant looked upon it, as turning their enemies loose upon them, when they were now assaulted by the Indians: and the more sensible portion of that community, considered it as a dangerous exercise of a dispensing power, by the President and Privy Council; contrary, to the determinations of the Provincial Congress, and a subsequent resolution of the House of Assembly. And so much did the matter heat the minds of the people; that a mutiny nearly took place in Major Williamson's camp of militia, which he had hastily called into the field, for repelling the invasions and butcheries of the Cherokee Indians. However, through the exertions and influences of respectable characters in that part of the country, the commotions of the people were softened: and the returned prison-

ers were permitted to remain peaceably at home, in the enjoyment of their several rights and privileges.

In consequence of the invasion, it was deemed expedient, that the printing-presses should be removed out of Charlestown; the publication of the gazettes were therefore discontinued, from about the first of June, to the first of August. And it was not until about this time, that detailed accounts of the battle of the 28th of June, were published in the newspapers. While the British vessels were here, a sloop from the West-Indies for the port of Charlestown, laden with gun-powder, arms, rum, &c. endeavouring to make her escape from the enemy, ran aground, and was set on fire; after which she blew up, with a great explosion. Other attempts, were more successful; and, towards the latter end of July, or beginning of August, seven tons of gun-powder, and a quantity of dry goods, were safely brought into the ports of South-Carolina: which replenished her magazines, and furnished clothing, for troops and people.

APPENDIX TO CHAPTER XVI.

No. I.

A RETURN of the Troops in Fort Sullivan, on the 28th day of June 1776; under the command of Colonel William Moultrie of the Second South-Carolina Regiment of Infantry.

No. II.

Major General Lee's Orders, in case of Alarm.

12th June, 1776.

GENERAL ORDERS.

Upon any alarm, the different corps are to repair to the following places of rendezvous.

The artillery regiment, and militia acting as artillery, to their stations heretofore allotted them. The remainder of the town militia to the State-House. The country militia, in that part of Lynch's pasture, nearest the town.

The North-Carolina troops, in a distinct line on the more remote part; at least two hundred yards in the rear, of the country militia.

The town militia, are to receive their orders from Brigadier General Armstrong.

The country militia, from Brigadier General Howe.

The North-Carolina forces, are to be considered as a corps of reserve; and to be under the immediate command of General Lee.

—

ARTILLERY.—REGIMENTAL ORDERS.

14th June 1776.

That no mistake may arise, relative to a late Regimental Order, for the distribution of the artillery regiment, the Colonel thinks it

necessary to inform the officers, he neither did, nor does he mean, they should act discretionally under that order; but, that they comply with the true spirit of it, in the following order, viz.

That part of Captain Beekman's company now at barracks, and the whole of Captain Drayton's, except such of each as may be on guard, are, on the first alarm, if made at night, or on the first appearance, if in the day, of the enemy's ships being in motion, to repair directly with their respective officers now in town to Grenville's Bastion, the south end of the Bay; there, to wait for further orders.

Captain White's company with its officers are stationed at Laurens' Battery; under the immediate direction of Major Elliott. Major Elliott will select two or three men, of Captain White's company, for making such a quantity of grape-shot, as he may have occasion for at his battery.

GENERAL ORDERS, by General Lee.

15th June 1776.

The Guards henceforward, are to be composed of the following numbers:

One field-officer, 3 captains, 9 subalterns, and 200 rank and file, are to form the main guard, at the State-House.

One captain, 3 subalterns, 4 serjeants, and 72 rank and file, at the Distillery to the left of the Magazine.

A captain, with the same number as the former, to mount at Gadsden's wharf.

A subaltern, 2 serjeants, 2 corporals, and 24 privates, at the Magazine.

A subaltern, with the same number as the former, at the point behind Gibbes' wharf.

One subaltern, 2 serjeants, 2 corporals, 24 privates, at the fleche which is thrown up a little to the right of Grimbald's Battery.

One subaltern, 2 serjeants, 2 corporals, with the same number of privates, in the rear of Grenville's Bastion.

One subaltern, 2 serjeants, 2 corporals, 24 privates, at the Exchange.

One subaltern, 2 serjeants, 2 corporals, with the same number of privates, at Rose's wharf.

One captain, 3 subalterns, 4 serjeants, 72 rank and file at St. Philip's Church.

The two brigades, are to post the centries of the different guards, in such a manner, that the whole may furnish an equal proportion.

Every Corps de Garde which mounts on the quais, is to throw up fleches cannon-proof, at their respective stations; after the model of that, to the right of Grimbald's Battery.

A field-officer of the day, is to be immediately warned; who is to be received by all the guards as well as the centries, with rested arms: he, should be furnished with some mark of distinction—for instance, a spontoon, or half pike, in his hand.

The guards are to turn out, and rest their arms when his Excellency the President or the Major General pass by; but this only once a day to each.

The Brigadiers, are to be received by the guards, with shoul-dered arms.

The Major General, wears a blue ribbon; as a badge of his rank, and by which he may be known.

The Brigadier Generals, a pink ribbon.

Rounds, are to go five times a night; and are to be regulated in the following manner. The field-officer, commanding the main guard, to go at eleven. The field-officer of the day, to go at twelve. The three captains of the main guard, at half past one, three, and at day-break. The countersign will be sent by the field-officer of the day, to the field-officer commanding the main guard at retreat beating: who, is to send it enclosed, and sealed, to the officers of the different guards.

No person, either military or resident, of this town, to pass the centries after nine, and tattoo beating; without giving the countersign.

—

GENERAL ORDERS, by General Lee.

16th June 1776.

Patrols, are to go, every hour of the night; from the beating of the taptoo, to the revellie.

Of the main guard, to consist of a serjeant and 12 men.

The patrol of each captain's guard, to consist of a corporal and 6 men.

The patrol of a subaltern, of a lance corporal, and 3 men.

The patrol of the main guard, to take Broad-street and Old-Church-street, from the State-House, to the two extremities and back; as likewise Queen and Tradd-streets.

The patrol at Gadsden's wharf guard, is to pass to and from the Governor's Bridge.

The patrol of the subaltern's guard at the Governor's Bridge is to pass to and from Cannon's Battery—that of Cannon's Battery, to and from Philip's Battery—that of Philip's Battery, to and from Lyttleton's Bastion—that of Lyttleton's Bastion, to and from the guard on the right of Wilkins' Battery—to and from Gibbes' wharf; and communications behind the barricadoes will be opened for this purpose.

The patrol on Gibbes' wharf, to pass to and from the Distillery.

The patrol of the Distillery, to pass to and from Cummings' Battery, from thence to the new Carolina Barracks.

The captain's guard, which will be posted some where in Squirrel-street, is to take patrol up and down George-street; and from the New Barracks, to St. Philip's Church, as likewise the whole of the Boundary-street from one extremity to another.

These different patroles, are to prevent disorders, and any number of people assembling together; likewise, to oblige all those who keep public-houses, to send away their guests, at the hour prescribed by his Excellency the President in Council.

—

GENERAL ORDERS, by General Lee.

20th June 1776.

As it now appears almost to a certainty, (from the intelligence of some deserters,) that the enemy's intention is to make an attack on the city; and, as the General is confident, that the numbers and spirit of the garrison will prevent their landing; it only remains to guard against the injury which the city may receive, from their cannon.

The continental troops, provincials, and militia, are therefore most earnestly conjured, to work with not less alacrity, than fight with courage. True soldiers, and magnanimous citizens must

brandish the pick-axe and spade, as well as the sword, in defence of their country. One or two days' labour, at this critical juncture, may not only save many worthy families from ruin; but many worthy individuals, from loss of limbs, and life. On this principle, the General does not simply in his capacity of Commanding officer order; but entreats the whole garrison, (those on the necessary duties excepted,) to exert themselves in forwarding the requisite works of protection.

¶ The above, are copies of orders, from Major Barnard Elliott's Orderly-Book of the regiment of artillery: and embrace only the most prominent orders, issued previous to the action of the 28th. In smaller matters, General Lee was extremely minute, in the orders which he issued: appearing to embrace all necessary things for the movement of the troops, as well as for reme-dying any impressions, which might be made by the enemy, at different points of attack.

◆◆◆

No. III.

Point Haddrell, June 28th, 1776.

DEAR COL.

If you should unfortunately expend your am-munition without beating off the enemy, or driving them on ground. spike your guns and retreat with all the order possible; but I know, you will be careful not to throw away your ammunition.

CHARLES LEE,

Major General.

To Col. Moultrie.

Armstrong's, June 28th, 3 o'clock, p. m.

DEAR COL.

Major Byrd, makes reports of your conduct, which does you infinite honour; they are indeed, such as I expected. I have sent for more ammunition, for you; and ordered a large corps of riflemen, to reinforce Col. Thomson.

Yours,

CHARLES LEE.

To Col. Moultrie.

No. IV.

A LIST of the Killed and Wounded, in the Engagement of the 28th June 1776; taken from Captain Mason's Orderly Book, of the 2d regiment of Infantry, commanded by Col. Moultrie.

MEN'S NAMES.	Killed.	Woun. det.	In what Company.
Samuel Yarbury,	1		Grenadier.
Josiah Stone, and Samuel Gale,		2	P. Horry's.
John Taylor, and Andrew Nelson,		2	Eveleigh's.
Sergeant Young,* and John Keel,		2	McDonald's.
John Long,		1	Harleston's.
Sergeant McDaniel, ^a	1		Huger's.
John Fleming, and James Hunter,	2		do.
George Mason, and John Sawyer,		2	do.
Robert Black and William Jones,		2	do.
Henry Peters, and Nathaniel Beck,		2	do.
Lieutenant Henry Gray—wounded on the thigh } with a splinter,	1		Motte's.
Lieutenant Thomas Hall—wounded on the temple, } with a splinter,	1		Mason's.
Robert Wade, ^b	1		Motte's.
John Boxall, ^c and John Hickie,	2		Ashby's.
Luke Flood, ^d and Richard Rogers, ^d	2		do.
Isaac Edwards, ^d	1		do.
John Proby, Owen Hinds, and John Griffin,		3	do.
John Ryan,	1		Blake's.
Jim Downing, Tho. Smith, and Benj. Reeves,		3	do.
John Campbell, Fife-Major,		1	
Total of the 2d regiment of Infantry, commanded } by Col. Moultrie,	10	23	In all 33
<i>Of the Regiment of Artillery.</i>			
Rowley Purdy, a matross,	1		
David Weatherspoon, and Josiah Niblet,		2	
A Mulatto waiting Boy, belonging to Lieut. Dunbar,	1		
Total killed and wounded in the engagement,	12	25	In all 37

* Had his leg shot away, by a cannon-ball.

^a Had his stomach and bowels shot away, by a cannon-ball.

^b Had his arm broke by a splinter from a shell, which burst in the air.

^c Had the upper part of his skull taken off, by a cannon-ball.

^{d d d} These three men were on one side of an 18-pounder in the Flag-Eastion, in the act of hand-spiking the piece up to the embrasure, after its being loaded; when a ball entered that embrasure in a line with their bodies, and cut them all three down at once. It was so deadly a shot, that none of them said a word; and after a few gasps on the platform, they expired. This cannon was commanded by Captain Ashby, under whom, Lieutenant H. Gray was stationed; and it was about this time, Lieutenant Gray received his wound; supposed to be from a splinter of a handspike, which one of these men was using.

No. V.

Narrative, by Thomas Bennet of Col. Damelson's regiment of Massachusetts—Daniel Hawkins of Boston—Robert Scott and Edmond Allston of New-Hampshire—and James Scott of Virginia: Deserters (being Americans taken by the enemy at sea) from the fleet, which attacked and was repulsed from Sullivan's Island on 28th June (Friday) 1776.

The *Bristol* of 50 guns, 32-pounders on her main deck, Sir Peter Parker's flag-ship: greatly damaged in her hull, large knees and timbers—shot through and smashed—if the water had not been very smooth, it would have been impossible to have kept her from sinking. The carpenters in the fleet, had been called to her assistance—mizen-mast shot away—main-mast badly wounded by three shots—fore-mast wounded by two shots. Rigging, sails, and yards, much damaged. Her captain lost his left arm above the elbow—he was sent yesterday (30th June) to England, in a brig. The Commodore's breeches torn off, his posteriors laid bare, and his thigh and knee wounded—he walks only, when supported by two men. 44 men killed—30 wounded; amongst whom, are many midshipmen, and petty officers. 20 of the wounded are dead since the action. When lighted as much as possible, the *Bristol* draws 18 feet, 7 inches.

The *Experiment* of 50 guns, on two decks, all 12-pounders—lighter built than the *Bristol*—when lightest, draws 17 feet water. Exceedingly damaged in her hull—several ports beat in—her mizen-mast injured. 57 killed on board, including the captain. 30 wounded, several of whom since dead.

Solebay of 28 guns—2 men killed—4 wounded.

Active of 28 guns—Lieutenant killed—1 man wounded.

Acteon 28, *Sphinx* 20, *Syren* 28 guns—all got aground: the first in coming up—the two latter in running away. The *Sphinx*

cut away her bow-sprit. The Syren got off. The Acteon (by the assistance of a friendly English seaman) remained fast: and was burnt and blown up, by her own people.

The *Thunder Bomb*, lay at a considerable distance, throwing shells at the fort; and by overcharging, had shattered the mortar beds, and damaged the ship so much, as to render it necessary for her to go into dock, before she could act again.

The *Friendship*, a hired armed vessel of 26 guns, of various sizes, covered the Bomb, as did the Syren—both of them firing briskly at the fort recochet shots.

The *whole Fleet* badly manned, and sickly; particularly the Syren's crew—at two thirds short allowance of provision and water—they have had no fresh meat, since their arrival, June 1st.

Lord William Campbell, had been very anxious for the attack; and proposed to take all the forts, with only the Syren, and Solebay.

The Negro Pilot Sampson, was much caressed by the Commodore; and during the action, was sent below with the Surgeon, out of harm's way.

When the fleet sailed from Cork, the number of troops on board were about 4,000; but eleven transports had been separated during the voyage; and had not been heard of.

About 2 o'clock on Friday, (when the fort was waiting for a supply of powder) some of the men of war's men, mistaking the silence of the fort for a surrender; cried out, "*the Yankees had done fighting.*" Others replied, "*By G—, we are glad of it, for, we never had such a drubbing, in our lives. We had been told the Yankees would not stand two fires; but we never saw better fellows.*" Many of the seamen are desirous of getting ashore, to join the Americans.

One M'Niel, a deserter from Colonel Gadsden's regiment, had

informed the Commodore, that before he left Fort Johnson, he had spiked up all the cannon.

A report prevailed in the fleet, that no quarter was to be given to the Americans; and, that £5,000 sterling, had been offered for General Lee.

No. VI.

By the several pay-bills brought in, of the country militia, who did duty in Charlestown, at Haddrell's Point, and Sullivan's Island, in the months of June and July last, there were paid, for those two months, 296 officers, and 3,648 privates, making 3,944 men, and, supposing one half of those men to do duty in June, and the other half in July—make 1,972 men, including officers. These country militia, cost the public, for doing duty at the before-mentioned places, sixteen shillings and nine-pence one farthing per day, for each respective man: exclusive of provisions, fire-wood, &c. &c.—which 'tis supposed, the whole charges put together, comes to much more, than twenty shillings (currency) per man.

If there were any more country militia, in town either of these months; the bills have not been brought in to the Pay-Master—but, he thinks the above account to be just.

Mr. Farr's compliments wait on Mr. Chief Justice Drayton, and has sent him the above calculation;

—which, Mr. Farr, has taken some pains to ascertain.

Thursday, 5th September 1776.

To the Hon. William Henry Drayton, Esq.

No. VII.

The following letter was found on Long-Island, after it was evacuated by the British army.

Camp, Long-Island, 13th July 1776.

DEAR BROTHER,

With great difficulty, I have procured this small piece of paper, to inform you of my being very well, notwithstanding the miserable situation we are in. We have been encamped on this island, for this month past, and have lived upon nothing, but salt pork and peas. We sleep upon the sea-shore, nothing to shelter us from the rains, but our coats, or a miserable paltry blanket. There is nothing that grows upon the island,* it being a mere sand-bank, and a few bushes, which harbour millions of musquetoes—a greater plague than there can be in hell itself. By this sloop of war, you will have an account of the action which happened on the 28th June between the ships, and the fort on Sullivan's Island. The cannonade continued for about nine hours; and was, perhaps, one of the briskest, known in the annals of war. We had two 50 gun ships, five frigates from 24 to 30 guns playing

* Where the British encamped, was among sand hills; but more to the Eastward, the island is well wooded with live-oak, pine, and other timber.

upon the fort, I may say without success; for they did the battery no manner of damage: they killed only about fifteen, and wounded between forty and fifty. Our ships, are in the most mangled situation, you can possibly imagine. The Acteon, a 30 gun frigate, run aground during the action; and, as it was impossible to get her off, we were obliged to burn and blow her up. Our killed and wounded amounts to between two and three hundred. Numbers, die daily of their wounds. The Commodore, is wounded in two different places; his Captain lost his left arm and right hand, and was wounded in different parts of the body; he lived but two days after the action. Captain Scott of the Experiment, died of his wounds; and, a number of officers. If the ships could have silenced the battery, the army was to have made an attack on the back of the island; where, they had about one thousand men, entrenched up to the eyes—besides a small battery of four guns, one 18, and three 4-pounders; all loaded with grape-shot. So, that they would have killed half of us, before we could make our landing good. We are now expecting to embark for New-York, to join General Howe with the grand army.

My anxiety to inform you of bad news, had well nigh made me forget to mention our passage to Cape Fear; where, we arrived safely the first of May, after a passage of three months. Though it was long, it was not disagreeable; after we got out of the Bay of Biscay, where we met with the worst weather ever known at sea; and continued in that situation for sixteen days. After that time, we had very fine weather all along; sometimes, we were becalmed four or five days together; not going above ten knots a day. Upon our arrival at Cape Fear, we disembarked; and were encamped in the woods till the 27th May, when we

went on board again, and sailed for this infernal place. The oldest of our officers, do not remember, of ever undergoing such hardships, as we have done since our arrival here.

I hope you will be so good as to watch every opportunity to let me hear from Mrs. Falconer and you; and at the same time, to inform me how to do, in case I shall be obliged to purchase my lieutenancy.

I beg you will make my excuse to my dear sister, for not writing to her at this time; it is not owing to want of affection, but to the want of proper materials: I am obliged to write upon the ground. You'll be so good as to let Captain Falconer know the same thing. I shall write again from New-York.

I am, dear Sir,

Your most affectionate brother,
WILL. FALCONER.

*To the Hon. Anthony Falconer,
at Montrose, Scotland.*

 The above letter was published in the *South-Carolina and American General Gazette*, of Friday, August 2d. 1776; edited at Clariestown by *R. Wells and Son*. This, being the first paper which they had published since Wednesday, May 31st, after which day, the printing presses had been removed out of town, for safety.

CHAPTER XVII.

Governor Tonyn's conduct, in East Florida—Fugitives from justice, take refuge under his protection—Jonathan Bryan arrives from Georgia, and persuades General Lee, to commence an expedition against East Florida—He marches, with the Virginia and North-Carolina troops—He is joined by the South-Carolina troops—The expedition fails; and General Lee returns to Charlestown—He departs from thence, to join the Northern army, under General Washington—The troops, return from Georgia—Colonels Gadsden and Moultrie, are appointed Brigadier Generals by the Continental Congress—The Cherokee Indians, make war upon the Southern Colonies—Major Williamson takes the field against them—Is ambuscaded at Essenecca—Death of Mr. Salvador—His character—Fort Rutledge erected—Williamson burns the Indian Lower Towns, and destroys their provisions—He penetrates into their Middle Settlements—Battle of Noewee—Meets Gen. Rutherford in the Vallies—The Indian Towns, in the Middle Settlements and Vallies, are burnt; and their provisions destroyed—Gen. Rutherford returns with his army to North-Carolina—Col. Williamson returns with his troops to South-Carolina—Garrisons Fort Rutledge—and dismisses his army.

AT an early period of the war, piratical enterprizes were undertaken from East Florida, over which Gov-

ernor Tonyn presided, against Georgia and South-Carolina; which he gave himself no trouble to restrain. On the contrary, in the height of his zeal, he issued letters of marque, against the properties of the colonists, before the British act, had even passed for that purpose. In addition to this, a predatory war by land, was carried on against the frontiers of Georgia; by fugitives from justice, and persons disaffected to American liberty, who had taken refuge in the vicinity of St. Augustine. These naturally produced retaliations, from the inhabitants of Georgia; and excited an earnest desire, of frustrating enterprizes from Florida, of such mischievous nature.

Under these influences, Jonathan Bryan of Savannah, a gentleman of respectability, and a warm friend to the American cause, arrived from thence during the month of July, soon after the victory over the British fleet; for the purpose of persuading General Lee, to undertake an expedition against East Florida; and which he represented to be as easily performed, as secure of success. Although he was a stranger to Lee, he saw him the same evening of his arrival; and possessed him with the scheme: assuring him of every accommodation of boats for transportation, and provision for subsistence. The next morning, General Lee issued orders, for the North-Carolina and Virginia troops to be paraded. He then addressed them with commendations for their services—he told them he had planned a secret expedition, as a mean of rewarding them—that the service was such as they had been used to; being without danger—and secure of success: and, that a very large booty, of which he would resign his share to them, attended their steps. That he did this, as a favour to the troops; but did not mean to force any of them to acquire booty; for volunteers only, were to undertake the expedition.

However inviting, an address of this kind might have been, the predatory intention disclosed in it, was not approved by the public opinion: as it manifestly tended to debauch the minds of our patriotic soldiery, and to divert them from the cause of freedom, for which alone, they had taken up arms. Such were also, the sentiments of the members in Congress from this State upon this subject, as expressed in their letters of correspondence. However, General Lee was bent upon the expedition against East Florida, as every one knew from his own declarations, and preparations; although, he affected to make a mystery of the affair; and, to call it, a secret expedition.

Having brought over the troops he addressed, to his views; he applied to the President for an aid of colony troops and ammunition—and he was furnished with both on the 6th of August: having about four hundred and sixty men allowed him, drawn from the 1st, 2d, 3d, and 4th regiments of infantry, rangers, and artillery. From the 8th to the 15th of August, in the most unhealthy season of the year, when the constitution is severely tried with heat and moisture, and the effluvia of the flowed rice-fields is scattering sickness through the land, did General Lee march off on this expedition the Virginia and North-Carolina troops, with some of the colony troops; without necessaries being provided—without even a field-piece, or a medicine chest.* The rest of the colony troops with artillery and such necessaries as could be obtained on the emergency, were sent on by water on the 8th August: and going through the inland navigation by the way of Beaufort, they arrived at Savannah on the 17th of that month. General Howe and Col. Moultrie followed soon after; and General James Moore of North-Carolina, was left in command, at Charlestown.

* Moultrie's Memoirs, vol. I. p. 184.

On the 18th of August, General Lee reviewed on the green at Yamacraw, every corps—as well the Georgia battalion, as the troops which had arrived from South-Carolina; and about the 22d of August, a part of the South-Carolina troops, and Col. Muhlenburg's regiment, marched for Sunbury. After this, troops were detached from Savannah, and stationed at Skiddeway Island, Ogechie, Ausabaw Island, and other places, betwixt Savannah and Sunbury: while the remainder were quartered in Savannah and its vicinity. For the hopes which General Lee had encouraged, in consequence of his conversation with Mr. Bryan, had not been realized; as neither boats, provisions, nor stores were to be procured, sufficient for the exigencies of the expedition. There was scarce an officer of the South-Carolina troops, who had not a violent fit of illness: and those of the other corps, suffered in an equal degree—while fourteen or fifteen men were buried each day at Sunbury; unfortunate sacrifices, to so inclement a season. During all this time, the expedition had not proceeded farther than Sunbury: as from a want of stores, General Lee had sent to Augusta, to have a list of articles procured; which, Colonel Moultrie had given in as necessary.* At this time, General Lee may be fairly said, to have been in check; not by the enemy—but by his own hasty, and improvident movements. And the force which he had with him, was every day, becoming less able, to carry on the expedition against Florida, or to cope with the enemy. From all this, however, he was fortunately relieved, by a recal to the northward; where, General Howe having taken New-York, was becoming very formidable. General Lee, accordingly left Savannah early in September,

* Captain Mason's Orderly Book—also, Moultrie's Memoirs, vol. 1st, page 186.

ordering, the Virginia and North-Carolina troops to follow him; leaving the troops, much greater sufferers by his conduct—than by the arms of the enemy. And, in this manner, ended the East Florida expedition.

On the 7th of September, General Lee arrived in Charlestown; when, he was prevailed upon by the President and his Council, to leave the North-Carolinians in South-Carolina; as a great portion of the South-Carolina troops remained in Georgia. And, on the 9th of September, the General took his departure for the Northward; leaving Major General James Moore, in command of the Southern troops.

The expedition being thus broken up, the South-Carolina troops were recalled from Georgia; and returning by water, they arrived at Beaufort, on the 27th September: from whence, they proceeded to Charlestown. On the 17th of this month, the Continental Congress had appointed Colonel Christopher Gadsden, and Colonel William Moultrie, Brigadier Generals; and they were accordingly issued as such in General Orders, on the 29th October, by General Howe.* When, Lieutenant-Colonel Charles Cotesworth Pinckney, was promoted to the command of the first regiment of infantry, with the rank of Colonel; and Lieutenant-Colonel Isaac Motte, was promoted to the command of the second regiment of infantry, with the like increase of rank. In consequence of these promotions, Major William Cattell, became Lieutenant-Colonel, and Captain Adam M'Donald, Major, of the first regiment; and Major Francis Marion became Lieutenant-Colonel, and Captain Peter Horry, Major, of the second regiment.†

* Captain Mason's Orderly Book.

† Ibid. under date 23d November 1776.

The design and time of attacking the Southern States, having been settled between the British Governors, and the British administration, we cannot but admire, how, in so complicated a scheme, delays and misfortunes on the part of the British, led to others with their allies and friends, in the back parts of North and South-Carolina and Georgia. For it has been shown, that the expedition from Cork was so delayed, that it never reached North-Carolina, until some time after the Highland Emigrants who had embodied in support of Royal measures, had been overthrown and dispersed. In like manner, but from a different cause, the victory over the British fleet on the 28th of June, led to the complete overthrow of the Cherokee Indians; who were to have co-operated with the British on their arrival here: but who as much erred, by taking up the hatchet too late —as the Highlanders had done, by commencing too soon.

Although many endeavours had been used by South-Carolina, to conciliate the affections of the Cherokee Indians, and they had been uniform in their assurances of peace,* yet John Stuart, the British Super-

* Early in June 1776, Major Andrew Williamson sent a Talk to the Cherokee Indians, by two of their warriors; that if they saw and would point out to him, any bad white men, who carried lies and bad talks among them from the settlements he would take them into custody and punish them. And, in return, he demanded liberty, to send some of his people into the nation to secure York, and other bad white people, who had carried lies and bad talks among them. That, if they complied with this proposal, he should then know, they wanted to live at peace with us; but, if they denied us that liberty, he should believe they did not care to continue in friendship longer. And this talk was strengthened, by sending with it, a string of *white beads*.

On the 26th of June, an answer was received by Major Williamson, from the Warrior of Sugar-Town, and the other Warriors of the Lower-Towns, accompanied also by a string of *white beads*, as a token of peace, saying, “ That they thanked Major Williamson for the good talk, sent them by Skurry Skurry;

intendant of Indian Affairs, who had fled from this State, had through his instructions to Alexander Cameron, his Deputy, disposed them otherwise: and they were invited and prepared to make an attack on the frontiers, as a diversion in favour of the British movements on the sea-coast. Being informed that a British fleet and troops had arrived off Charlestown, they proceeded to take up the war-club; and, with the dawn of day, on the 1st of July, they poured down upon the frontiers of South-Carolina; massacring without distinction of age or sex, all persons, who fell into their power.* On this day, one of Captain

and, believed every word therein, was true. That, the Warriors of the Lower-Towns, would not interfere, between the white people, in their quarrel; and, that they in future, would not prevent his sending men into the nation, to take into custody such white people, as went among them with bad talks and lies. That, they remembered the good talks, given at Fort Charlotte; and were resolved, to abide by them.”(a)

In consequence of this talk and permission, Major Williamson dispatched Captain James McCall, with about thirty men, to the Cherokees at Essenecca, to arrest some mischievous white men, among them. When the detachment got near, the Indians met it, and invited Captain McCall, Lieutenant Baskin, and John Ballinger, the interpreter, to sup with them: leaving three of their own people as hostages in their room. At this supper, the conversation was spun out, to a late hour; when, some warriors rushed in upon them—taking McCall and Ballinger prisoners; but, Lieutenant Baskin made his escape. The detachment was also attacked at the same time; when Ensign Calhoun, John Holland, John Patterson, and John Huffman, were killed. Some of the Indians, also lost their lives on this occasion. And the rest of the detachment escaped; reaching the settlements by small parties, and some days afterwards. Captain McCall and Ballinger also escaped some weeks afterwards. This happened immediately before, the Cherokees made their irruption into South-Carolina.—See on this subject, a more particular account, in McCall’s History of Georgia, vol. 2d, p. 77, 78, &c.

* “British agents, were again employed, in engaging the Indians to make a diversion, and to enter the Southern Colonies on their back, and defenceless, parts. Accustomed to their dispositions and habits of mind, the agents found

(a) Extract of a letter written by Major Andrew Williamson to William Henry Drayton, dated *White-Hall*, June 27th, 1776.

Aaron Smith's sons, arrived at the residence of Mr. Francis Salvador on Cornacre Creek, in Ninety-Six District, with two of his fingers shot away. He informed, that his father's house, at Little River, had been attacked by the Savages; and, that his father, mother, and five children, together with five Negro men, had been butchered by them. Mr. Salvador forthwith mounted his horse, and galloped to Major Andrew Williamson's residence, twenty-eight miles from thence; where, he found another of Captain Smith's sons, (Aaron Smith,) who had fortunately escaped, to alarm that part of the settlement.* On the same morning, Mr. Stringer and one child, and three or four of Gillaspy's family, were also cut off.

The consternation of the people, on this occasion, is not to be described: as they were almost destitute of arms and ammunition; having sold the best of their

but little difficulty in bringing them over to their purpose by dint of presents, and hopes of spoil and plunder. The plan of action that was to be adopted, in consequence of this consent, on the part of the Indians, was as follows: a large body of men, was to be sent to West Florida, in order to penetrate through the territories of the Creeks, Cherokees, and Chickesaw Indians. The Warriors of these nations were to join the body, and the Carolinas and Virginia, were immediately to be invaded. At the same time, the attention of the colonists was to be diverted by another formidable naval and military force, which, was to make an impression on the sea-coasts.

"But this undertaking was not to depend solely, on the British army, and the Indians. It was intended to engage the assistance of the white inhabitants of the back-settlements, who were known to be well affected to the British cause. Circular letters were accordingly sent, to those persons by Mr. Stuart, the principal Agent for Indian Affairs, requiring not only the well affected, but also those who wished to preserve their properties, from the miseries of a civil war, to repair to the Royal Standard, as soon as it should be erected in the Cherokee country; with all their horses, cattle, and provisions; for which, they should be liberally paid."—See 1st vol. History of the American War, by C. Stedman, p. 248, 249; who served under Sir W. Howe, Sir H. Clinton, and the Marquis Cornwallis.

* See London Remembrance for 1776, Part III. page 50.

rifles to the public, for arming the rifle regiments, and rangers. Nor, was the public at this time, able to furnish them with any considerable quantity of ammunition. Nature, therefore, imperiously called upon them to place their families in safety; before, they embodied, to oppose the Indians. And hastily crowding together, they ran into little stockade forts, for momentary preservation.*

In the mean time, Major Williamson lost no time in opposing the invasion; and so great was the panic, that although he dispatched expresses on all sides, only forty men were collected in two days. With these, accompanied by Mr. Salvador, he marched on the 3d of July, to the late Captain Smith's house; and proceeding onwards, he took a station, about six miles above Captain Pickens' fort. On the next day, forty more of the militia arrived; on the 5th, he mustered one hundred and ten men; and, on the 8th of July, his force was increased to two hundred and twenty-two men; when, he encamped at Holmes' field, on Hogskin Creek, about four miles from the Cherokee Boundary Line, at Dewett's Corner.† At this place, he remained, until the 16th of July; when, being four hundred and fifty strong, he advanced to Barker's Creek. From this slow increase of force, we may have some idea of the panic among the people; when, in a populous part of the country, and in a time of the most pressing danger, five hundred men could not be collected in sixteen days. This was, however, in some measure owing, to the Indian attack being made simultaneously along the line of frontier; which prevented the inhabitants of one settlement, from sending aid to another.

* See Appendix to this Chapter, No. I.

† See the map representing Williamson's march, opposite page 343.

Impelled by the same necessity, the inhabitants along Saluda River and Rayborn's Creek, had taken refuge in an old fort called Lyndley's, near Rayborn Creek; where, on the morning of the 15th of July, they were attacked, by eighty-eight Indians, and one hundred and two white men; many of them painted, and dressed as Indians. Their object, was to surprize the fort; for which purpose, their attack was commenced about one o'clock in the morning. Fortunately, Major Downes, with one hundred and fifty men, had arrived at the fort the evening before, in his way, to join Major Williamson; and whose assistance effected the preservation of the fort. Not calculating on this accession of strength, the enemy fought fiercely; expecting every moment, an opportunity of storming the fort. The fire of rifles and musketry was so well delivered from it, that at daylight the enemy gave way, retreating with precipitation: leaving two of their Chief Warriors, and several men, dead upon the field. The garrison, immediately pursued; and took thirteen white men prisoners: some of whom, were painted and dressed after the Indian manner; and they were immediately sent to Ninety-Six gaol, for safe keeping.* Had the fort been carried, it is not improbable but the disaffected all around, would have joined the Indians, as some had previously done; among

* This forbearance respecting them, as having associated with Savages, against our liberties, by no means met the public approbation. For, it was thought by the best informed statesmen at that time, that the public would have received an essential piece of service, had they been all instantly hanged, by the right of martial law, and the law of nations. And that the same would have been consistent with justice, and policy. Major General Andrew Jackson, of the United States' army, was fully convinced of the propriety, justice, and policy of such a measure; when he ordered Arbnthnot and Ambrister to be executed, when taken in war as associates and leaders of inimical Indians, and run-away Negro slaves. Associated with Savages, who respected neither age nor sex, they would have no claim to protection from the laws of civilized warfare; as they acted in opposition to all their principles.

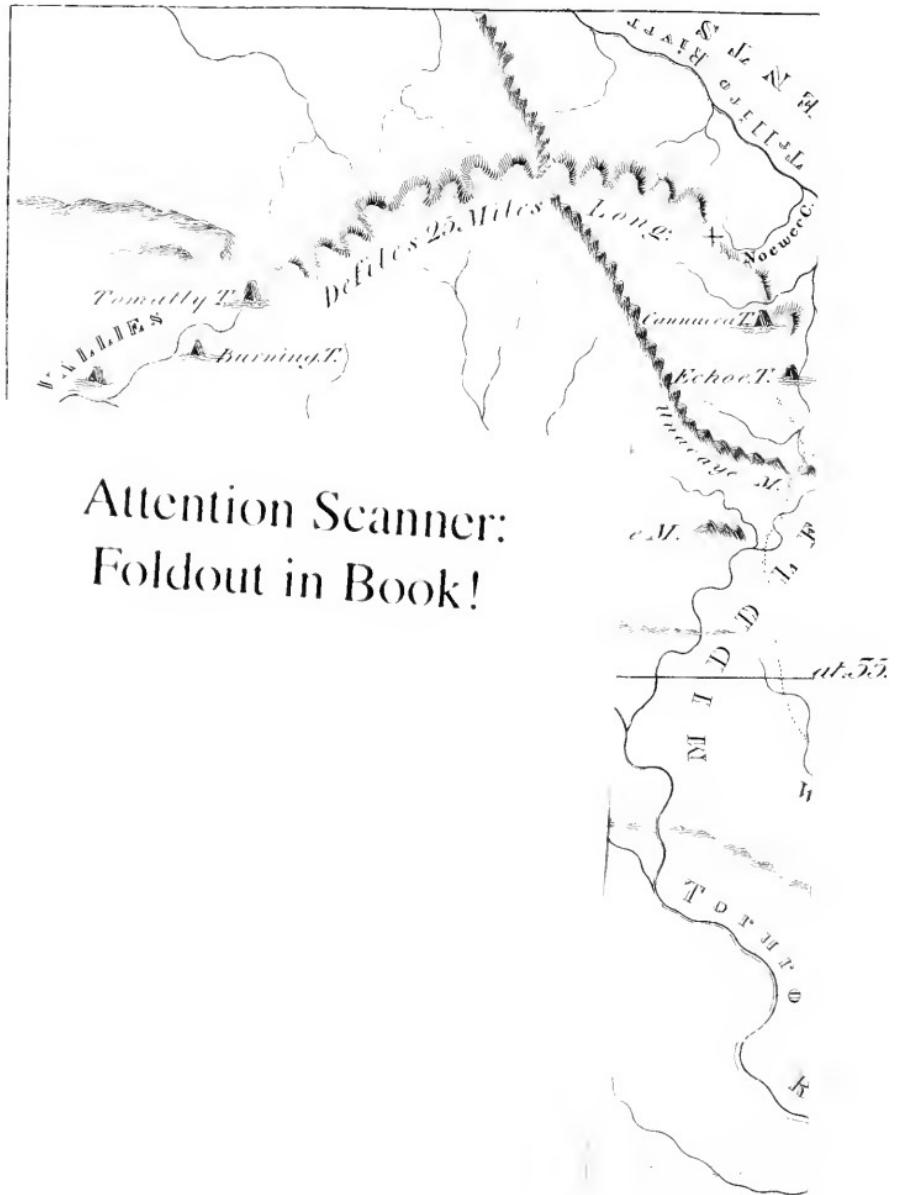
$\frac{1}{\theta} \left(\frac{\partial^2 \ln f_{\theta}(x)}{\partial x^2} \right) = -\frac{1}{\theta}$

$$\frac{1}{\theta} \left[\frac{1}{n} \sum_{i=1}^n \frac{1}{x_i^2} \right] = -\frac{1}{\theta}$$

$$\begin{aligned} \text{LRT} \\ &= \frac{1}{\theta} \left(\frac{1}{n} \sum_{i=1}^n \frac{1}{x_i^2} \right) \\ &= \frac{1}{\theta} \left(\frac{1}{n} \sum_{i=1}^n \frac{1}{(y_i + \epsilon_i)^2} \right) \end{aligned}$$

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whom, was Hugh Brown. For, this was part of the country, against which, Colonel Richardson's expedition had been expressly directed in December 1775: he having penetrated so far as Hollingsworth's Mill, on this very creek, with an army of near 5,000 men. And it is probable the enemy directed their march to this point, not doubting, but the malecontents with whom Stuart and Cameron had been intriguing, would again make an insurrection, and join them in the Royal cause. This repulse, however, awed all the wavering into a peaceable conduct; many of the whites who had joined, surrendering themselves. And the news of the victory of the 28th of June, arriving immediately after this affair, the designs of the disaffected, were crushed in their breasts—and, the friends of freedom were enabled to join Major Williamson in his march upon the Cherokee Nation.

We left Major Williamson at Barker's Creek, on the 16th of July, with four hundred and fifty men. From this time, he gradually increased in numbers; and Captain Felix Warley of the third regiment arriving with a detachment of a hundred rangers, and a convoy of waggons, which the President had sent, with ammunition, arms, and stores;* Major Williamson now prepared, to carry into effect the objects of government, agreeably to orders he had received from the President for that purpose.

While Major Williamson was encamped at Barker's Creek, Robert Cunningham and Pearis, who had been lately discharged from their confinement in Charlestown gaol, arrived at head-quarters; and Cunningham declared himself a fast friend; and that he came to

* Captain Warley with this loaded convoy, marched from Charlestown to Dewett's Corner, by the road along the Congaree and Hard-Labour Creek, in fourteen days.

stand or fall with the expedition against the Cherokees. Major Williamson, however, regretted he could not countenance him on that occasion, or accept his offer of service, as the people, were much exasperated at the behaviour of Hugh Brown, and others, who had lately joined the Indians; thirteen of whom being taken prisoners, four of them were found painted like Indians. Besides which, it was not deemed politic, at that time, that Cunningham should have any appointments, so, as to reinstate him, in his former influence in his part of the country; as the friends of liberty, were then determined, to have no connection with him: and to consider him in future, merely as an individual, and not as the leader of any party. For these reasons, and having treated Cunningham politely, Major Williamson advised him to return to his home, and there attend to his private business.* On the 22d of July, Williamson being still at Barker's Creek, received the first intelligence of the victory over the British fleet on the 28th of June. At this time he had with him, about seven hundred men, of his own regiment; for as yet, none of the militia from the North side of Saluda River, had joined him: and he had received information, the Indians struck at North-Carolina and Virginia on the very day, they commenced hostilities against the frontiers of this State. On the 25th of July, the army marched to the Hen-coop Creek; and on the 29th, it advanced and encamped at Twenty-Three-Mile Creek: the army now consisting of 684 of the Ninety-Six regiment, two rifle companies of the rangers of 130 men, a detachment of Captain Bowie's company of 20 men, and 317 of Colonel Williamson's regiment from the upper part of the fork between Saluda and Broad Rivers; amounting in the whole, to 1,151 men.

* Letter from Major Williamson to W. H. Drayton, dated *Camp at Barker's Creek, July 22d, 1776.*

From this camp, Williamson sent spies for intelligence; who returned with two white prisoners. These gave information, that Alexander Cameron, Stuart's deputy, had arrived a few days before, from the Over-Hill Settlements, with thirteen white men; and that he was then encamped at Oconore Creek, about thirty miles distant, with some white men and the Essenecca Indians; who had abandoned their town on Keowee River, and had taken with them their women and children. The spies also reported that they had seen the Essenecca Town deserted.

Upon this, Major Williamson thought it most adviseable to march and attack their camp, before they could receive any information of his being so much advanced; and accordingly, about 6 o'clock in the evening of 31st of July, taking the two prisoners with him as guides, under threats of instant death, in case of misbehaviour, he put himself in motion with a detachment of 330 men on horseback, hoping to surprise the enemy by day-break. The River Keowee running between him and Cameron, and being only fordable at Essenecca, Williamson was obliged, although much against his inclination, to take the road to that ford; and he proceeded accordingly thither, without flanking parties, or guard sufficiently advanced, to be of any service in warning his main body of danger. In the mean time, the enemy had posted thirty Indians and as many whites, in the houses at Essenecca, which would first present themselves to Major Williamson and his detachment in their advance: from which, when the detachment came forward, they stationed themselves behind a fence on an eminence, parallel with the road: themselves being hidden by the fence masked with bushes and Indian corn blades. They suffered the guides and advanced guard to pass the fence, and proceed towards the

houses; when a few guns from a house, were discharged: on which, those along the fence poured in a heavy fire on the detachment in flank; which being unexpected, threw it somewhat into confusion. By this fire, Major Williamson's horse was shot down; but he received no hurt; and Mr. Francis Salvador, who was riding alongside of the Major, was shot through the body and left leg: and falling among the bushes, he was unfortunately discovered by the Indians immediately, and scalped. This might have been prevented. For, on Major Williamson's horse being shot down under him, Lieutenant Farar of Captain Prince's company dismounting from his own, remounted the Major upon it; and at the Major's request, he went in search of Mr. Salvador; but, before he could find him in the dark, the keen-handed Indian had taken off his scalp, and left him weltering in his blood. And what added to the misfortune—after the action it appeared, that Captain Smith, son of the late Captain Aaron Smith, who had been murdered with his family by the Indians, saw the Indian, while he was in the act of taking off the scalp; but, supposing it was Mr. Salvador's servant assisting his master, he did not interfere: otherwise, he might have prevented it, and killed the Indian.

This surprize, took place about two o'clock in the morning of the 1st of August: and the unexpectedness of the attack, the time of it, and the confined road, along the declivity of an eminence by which they proceeded, all combined to make a strong impression on the troops. They accordingly broke away, as well as the road between the fence and the declivity would permit them; and dismounting, obeyed the only order which had been given; which was, "to dismount in case of being attacked." All, was now, a scene of confusion. The enemy kept up a constant fire, from

their defences; while the troops retiring before it, returned a random fire; as dangerous to their friends, who were willing to advance against the enemy, as it was to the enemy themselves. During this conflict, Col. Hammond exerted himself to stop so ruinous a fire; and having rallied about twenty men, he made them reserve their fire, and march up to the fence: when, they delivered their fire through it; and jumping over, they charged the enemy. This being unexpected, in their turn the enemy gave way; and a flight and pursuit immediately took place. In this affair, the enemy left on the ground, one man killed, and three wounded; beside, several tomahawks, blankets, shirts, &c. many of them stained with blood: which together with the bloody tracks of their retreat, plainly indicated, that Williamson's party had done them more injury, than was ascertained. On Williamson's side, three men died in the morning; and fourteen men, badly wounded were sent back to the settlements; where, they were attended by Doctors Dela-howe and Russell.*

Mr. Salvador, who had been shot in two places, and scalped, died in about forty-five minutes; without being sensible, that savage act had been performed upon him. He retained his senses, to the last; and, when Major Williamson came up and spoke to him, he anxiously asked whether the enemy were beaten? And upon being told they were, he replied, he rejoiced at it: when shaking the Major by the hand, he bade him farewell—and died.

The fate of this gentleman, excited universal regret. He was the grandson of Francis Salvador, and the son of Jacob Salvador of England; who died when his

* See London Remembrancer for 1776, Part II p. 319.

son Francis, was about two years old. Shortly after his father's death, his mother gave birth to his brother Moses; who is still living at the Hague, having married a daughter of the Baron Suasso. Both of these young gentlemen, were liberally educated by a private tutor, and the best master; and were taught those accomplishments, suitable to their wealth and rank in life. Upon coming of age, each of them inherited £60,000 sterling; and Francis on his return from France, married his first cousin, Sarah Salvador, second daughter of Joseph Salvador, his uncle; receiving with her a portion, of £13,000 sterling. Mr. Francis Salvador, after this marriage resided at Twickenham, near his mother and step-father Abraham Prado: but, having impaired his fortune by some unfortunate speculations, he came to South-Carolina about the end of 1773; intending to settle here, and have his wife, his son, and three daughters from England with him: but, his unfortunate death, prevented their removal. Although of the Jewish nation, his son John Lovel Salvador adopted the Christian Religion; and was a clergyman of the Episcopal persuasion, in England. About the year 1774, Mr. Francis Salvador purchased lands and Negroes in South-Carolina: and not wishing to live alone, he resided with his intimate friend, Richard A. Rapley, at Coroneka, commonly called Cornacre, in Ninety-Six District. His manners, were those of a polished gentleman; and as such, he was intimately known and esteemed, by the first revolutionary characters in South-Carolina. He also, possessed their confidence in a great degree; as his literary correspondences with them, sufficiently proves: and at the time of his death, both he and his friend Mr. Rapley, were of the ten representatives for Ninety-Six District, in the General Assembly of South-Carolina. When the irruption of the Savages, brought down distress upon his neighbours; and one of

their children sought refuge at his dwelling, from the bloody tomahawk; his warm heart directed him to their relief. Against the savage foe, he volunteered his services; and at the side of his friend Major Williamson, he received those wounds—which sacrificed his life, in the service of his adopted country.

When daylight arrived, and Major Williamson had collected his dispersed troops; he burnt that part of Essenecea Town, which was on the eastern side of Keowee River; and prepared to cross over to the opposite shore. But the men laboured under such impressions from the dangers they had just escaped, that they could not be prevailed upon to ford the river for the purpose of burning the houses on the other side. There was a ford, about a mile below; and sixty chosen men, were sent to cross the river there; but when they arrived, they absolutely refused to enter the river; and returned, to the main body. In this extremity, Lieutenant-Colonel Hammond, the second in command, declared aloud, if any one would show him the ford, he would attempt the passage. Three persons now offered, to accompany him; and they crossed the river immediately in safety: the detachment then crowded after, and being over, they at once demonstrated, they had left not only their fears, but their prudence, behind. For, as on the other side, there was no getting them to advance, now, they universally dispersed for two or three miles along the river; and there was no keeping them together—so easily, do men pass, from extreme caution, to extreme imprudence. They now burnt the Indian houses on the west side, as they had done on the east side, of the river; destroying all the provisions on the ground, computed at six thousand bushels of Indian corn; beside peas, and other articles.

The object of overtaking Cameron and his associates being thus defeated, Colonel Williamson,* immediately retreated, and joined his camp at Twenty-Three-Mile Creek; as well, lest Cameron, learning his small force, might be induced to attack him with a superior one; as, that he expected to form a junction there, with detachments of Colonels Neel's and Thomas' regiments.† From thence, he took up the line of march; and advancing upon the enemy's country,

* At the commencement of this expedition, Williamson's rank was only as Major of the Ninety-Six regiment; as the following extract will show.

Extract of a letter from William Henry Drayton, one of the President's Privy Counsellors of South-Carolina, to Francis Salvador, Esq. dated Charlestown, July 24th, 1776.

"As for my friend Major Williamson, I long to see him Colonel of the regiment, now under his orders. In the station of Major, he does infinitely more honour to it, than any Colonel it ever had—of this rank, we must say something hereafter. At present, the title of Commander in Chief of the expedition against the Cherokees, with which he is vested, will give him command of any Colonel in his army. According to the military rule, any Colonels in his army, though with part, or even the whole of their regiments, are to be considered as volunteers; and, they cannot have any authority in the camp or army; but what is derived from the Major. However, as in all probability, the Major may authorize them to command their several detachments under him, I think, they may expect to receive their usual pay, while in actual service. But, this may be depended upon, that any conduct, that shall clash with Major Williamson's orders, will be carefully examined into."

In William Henry Drayton's manuscript history, which has been the basis of these Memoirs, Williamson has been only styled by him Major up to this time; but about the 1st August 1776, he is called therein Colonel Williamson: which affords ground for supposing, that about this time, he was promoted to the rank of Colonel in the Ninety-Six regiment of militia.

See Appendix to this Chapter, No. I.

† They had been detached to burn and destroy the towns and provisions of the Cherokee Indians, on the head waters of Keowee River: and they accordingly burnt Estatoe, Warachy, and Toxaway; with all their corn, and provisions. The Indians fled with such precipitation from them, that they left twenty-eight scalps.

encamped on that evening, (August 2d,) at Eighteen-Mile Creek. Continuing to advance, he arrived at Twelve-Mile River, where he encamped. On the 4th of August, he detached Captain Tutt to burn Sugar Town, Soony, and Keowee; after which, the army was advanced, and encamped near Keowee. From this encampment, Col. Williamson marched on the 8th of August, with six hundred and forty chosen men, in order to attack the Indian camp at Oconore; but finding it deserted, he destroyed Ostatoy and Tugoloo. On the 10th of August, he commenced his march at five o'clock in the morning; and in fording the Tugoloo River about half a mile above his encampment, his advance being about half way over, it was fired upon, from an ambush of white men and Indians posted along the river bank, and on a rising ground, commanding the ford. On this, a retreat took place to the Carolina bank of the river; from which, a general fire was delivered across the river upon the enemy. While this was going on, Williamson procured a few canoes, with which in about an hour he passed over the river two hundred and twenty men: who, landing and charging the enemy, they gave way and made off. On this occasion, marks of blood were discovered: but no bodies of the enemy were found; and four of Williamson's men were wounded—though not dangerously. On the 11th, he marched upon, and destroyed the houses and provisions at Brass-Town Creek. On the 12th, he proceeded against Tomassy, Chehohee, and Eustaste; and coming upon a recent trail of the enemy, he ordered fifty men to follow it. They soon came up with a large body of Indians, with whom they engaged, until they were supported by Col. Williamson; who attacking them in the rear, they gave way—leaving sixteen of their men dead, in the space of one hundred and fifty yards. The enemy were supposed to be about three

hundred; and the action lasted seventy-five minutes. On this occasion, the Indians fought bravely; quitting the trees, and exposing themselves: while their Chiefs called to them from time to time, to rush on with their tomahawks. In one part, the engagement was so close, that an Indian closed in upon one of the troops, when they fell to the ground; on which, the Indian called out, "Brother, enough"—but his antagonist answered him, "You never will have enough, while you are alive;" and in his own defence, put him to instant death. On this occasion, of Col. Williamson's troops, one officer, and five privates were killed—and, seventeen were wounded. Major Downes, and Lieutenant Hargrove were among the wounded; the first received a shot in the belly, and the latter in the breast. After this, they destroyed Tomassy, Chehohee, and Eustaste. In this expedition, all the corn on this side of the middle settlements, growing on about two thousand acres of land, was destroyed; and the prisoners related, that the Indians were driven to support themselves on roots, berries, or wild fruit; and must retreat to the Middle Settlements; where it was expected they would make a stand.

On Colonel Williamson's return to his main camp, he found that numbers of men had gone home, from fatigue, want of clothes, and other necessaries; and many of his men whom he had with him, were in equal distress. Thus situated, he found himself reduced to the necessity, of granting furloughs; ordering them to rejoin him at Essenecca, on the 28th instant: to which place, he filed off on the 16th, with about six hundred men. As yet, he was unacquainted that the North-Carolinians and Virginians had moved. And while he yet remained at Essenecca, a fort was erected in its vicinity; which, in honour of President Rutledge, was called after his name.

While these things were transacting in Carolina, one hundred Indians attacked on the 18th of July, a party of eighteen men in Georgia; who fought them for an hour and a half, until dark; when, both parties drew off. In this action, the Indians were obliged to give way, three times; they having so often boldly rushed up to the attack. Ten of the Indians, were killed; and two of the Georgians, were wounded. After this, Major Jack of Georgia, with a party of men, opposed the inroads of the Indians into that state; and destroyed, such of their settlements and provisions, as were on the Georgia side of the Tugoloo River.

Upon the breaking out of this Indian war, while this State was collecting an army, application was made to North-Carolina and Virginia to co-operate with our forces. Each of these states, raised an army; the first to act in conjunction with us on this side of the Appalachian Mountains; the last, to act against the Over-Hill* Cherokees. But, Col. Williamson had destroyed all the Lower Settlements, before the North-Carolina forces under General Rutherford took the field. However, Williamson agreed with him, upon a day and place of joining their forces; which was to have been about the 5th of September. This failed in the execution, through delays which had intervened for necessary purposes: and it was now impossible for Williamson to reach the rendezvous by the time appointed; nor sooner, than ten days after; as the day specified, was already past. The idea of uniting both armies had been adopted, on a supposition, that nothing less than their united force

* The Cherokees who resided westward of the Appalachian Mountains, were called "*Over-Hill Cherokees*". It was a term used, by the Indians and Traders; as well as by all, who resided eastward of the mountains.

was adequate to the reduction of the Middle Settlements and Vallies of the Cherokee Nation. It was now found, that either army was sufficient: as General Rutherford, with the North-Carolina troops, was already laying waste the Middle Settlements; and was preparing to enter the vallies at their northern opening; which would consequently force the Indians to retreat through the opposite mouth of the Vallies on this side, by Little Choti. To prevent their escape on this side, was easily to be effected by Colonel Williamson's army; as the approaches to it, from Essenecca, were not much impeded by a mountainous country: and by such a position, the Cherokees would be enclosed in the Vallies, between the two armies. All these things, Lieutenant-Colonel Hammond, represented to Col. Williamson; but he replied, he would not break his engagement with Rutherford; nor, could he forgive himself, if by doing so, he should not be at hand, to aid him, in case an accident had befallen him. And although the time for meeting had indeed elapsed, Williamson yet thought himself still bound, to press forwards towards Rutherford by the Middle Settlements; instead of filing off by his left towards Little Choti.

Under these impressions, Col. Williamson having increased his army to two thousand three hundred men, broke up his camp at Essenecca; and leaving three hundred men as a guard to the inhabitants, and as a garrison to Fort Rutledge, he marched with about two thousand men, a small portion of which were of the rangers, or third regiment of the State, towards Occonee Mountain, which he ascended; and from thence, he took the usual course, towards the Middle Settlements. These settlements, are embosomed by lofty mountains; and are dispersed along circuitous

vallies, running parallel with the courses of Stickoe and Tellico Rivers.

In the mean time, General Rutherford having passed through, Estatoe Gap, had dispatched two men to inform Col. Williamson of his arrival and situation, in the Cherokee Nation, with an army of two thousand men; and, not hearing from him, within the time agreed, he left Colonel Martin with a detachment at Canucca in the Middle Settlements, to guard provisions, and finish the destruction of those parts, until his return from the Vallies. And with the rest of his army, he directed his course towards the Valley Settlements. At this time, Colonel Williamson having crossed Chatuga River, and War-Woman's Creek, directed his course towards Stickoe Mountain; he then crossed Stickoe River, in the neighbourhood of which, he fell in with the trail of General Rutherford's army. And pursuing it along the stream of Tellico River, a branch of Tennessee River, he arrived at Col. Martin's camp at Canucca on the 18th day of September; from whence, General Rutherford had departed three days before. From this place, Col. Williamson sent notice of his arrival, and guides to the General, who had got entangled among the mountains; and, on the 19th of September, the army proceeded on its march, with the intention of entering the mountainous pass at Noewee Creek; which leads across the Appalachian Mountains, to the Vallies on Hiwassee River.

The army now crossed Cannucca Creek, and was proceeding towards Noewee Creek, when tracks of the enemy's spies were discovered about half past ten o'clock, a. m. and the army was halted, and thrown into close order. It then proceeded on its left towards a narrow valley, bordering on Noewee Creek, and

enclosed on each side by lofty mountains, terminated at the extremity by others equally difficult; and commenced entering the same, for the purpose of crossing the Appalachean Ridge, which separated the Middle Settlements, from those in the Vallies.* These heights were occupied by twelve hundred Indian Warriors;† nor, were they discovered, until the advance guard of one hundred men began to mount the height, which terminated the valley. The army, having thus completely fallen into the ambuscade of the enemy, they poured in a heavy fire upon its front and flanks; compelling it to recoil, and fall into confusion. Great was the perturbation which then prevailed, the cry being, “*We shall be cut off;*” and while Col. Williamson’s attention was imperiously called to rally his men, and charge the enemy, he was at the same time obliged to reinforce the baggage guard, on which the subsistence of the army depended for provisions, in this mountainous wilderness. In this extremity, Lieutenant-Colonel Hammond caused detachments to file off, for the purpose of gaining the eminences above the Indians, and turning their flanks; while, Lieutenant Hampton with twenty men, advanced upon the enemy, passing the main advance guard of one hundred men: who, being panic struck, were rapidly retreating. Hampton, however, clambered up the ascent, with a manly presence of mind; which much

* This, was but a few miles from Etchoe; and the ground in this part of the nation, was so full of passes and difficulties, that the Cherokees appear always to have made use of them, in opposing invasions into their Middle Settlements. Within five miles of this town, Col. Montgomery was ambuscaded by them in 1760; and in the year following, Colonel Grant with another army of regulars and militia, having advanced near to the place where Col. Montgomery was attacked the year before, met with like opposition.—History of South-Carolina, by the Rev. Mr. Hewatt, vol. 2d, pages 232, 248.

† Consisting of Over-Hills, Valley, and Middle Settlements. The Lower-Town Indians, had retreated and encamped, on the borders of the Creek Nation.

encouraged all his followers: calling out, “*Loaded guns advance—empty guns, fall down and load:*” and being joined by thirty men, he charged desperately on the foe. The Indians, now gave way; and a panic passing among them from right to left, the troops rallied and pressed them with such energy, as induced a general flight: and the army was thereby rescued from a total defeat and massacre. Besides this good fortune, they became possessed of so many packs of deer-skins and baggage; that they sold among the individuals of the army, for £1,200 currency; and which sum, was equally distributed among the troops. In this engagement, the killed of Williamson’s army, were thirteen men, and one Catawba Indian; and the wounded were, thirty-two men, and two Catawbas. Of the enemy, only four were found dead; and, their loss would have been more considerable, if many of them had not been mistaken for the friendly Catawbas, who were in front. On the same day, General Rutherford entered the valley of the Middle Settlements at Cheoware; burning and destroying every town and settlement.

The army now made a halt; and on the next day, it resumed the line of march upon the dividing ridge between Noewee, the last town in the Middle Settlements, to Tomatly Creek in the Vallies; being a distance of about twenty-five miles. But, so mountainous and rough was the passage, that it was able to proceed only at the rate of five or six miles a day: and on the 24th of September, the army descended into the Valley; when at night there was a smart white frost. Col. Williamson now reached, and destroyed Tomatley, and Burning-Town; and between this time, and the 26th of September inclusive, he destroyed seven towns, and vast quantities of Indian corn and other provisions. On this last day, he met General Ruther-

ford; who having only brought with his army ten days' provisions, began his return for the Middle Settlements by the same route, in which, Col. Williamson had advanced from Noewee.

On the 23th of September, five men strolling from the camp, were attacked by Indians in ambush; of whom two were killed on the spot, and another was mortally wounded. On the same day, Cheowee was burnt. On the 29th, the same fate attended another Indian town; and on the 3d of October, an Indian town called Nacutchee was destroyed: which finished the destruction of all the towns of any note, among the Lower-Towns, Middle Settlements, and Vallies. The army having now passed through the Vallies, towards Little Choti,* wheeled by its left, along the base of the mountains—crossed over Tugoloo River—and, arrived on the 7th of October at Essenecca, and Fort Rutledge; having destroyed all the Cherokee Settlements in the Vallies, and eastward of the Unacaye and Appalachean Mountains. The next day, Col. Williamson posted Captain Tutt with his company, and some of the regular troops, amounting together to about two hundred men, in Fort Rutledge; and detailed one hundred of the militia to range the frontier. After which, no farther services being required of the army, it was disbanded with thanks.

During this service, the enemy were engaged either by the army or detachments, in five combats. At Essenecca, 4 men died of their wounds on the field of battle; 14 others being wounded; of whom, 1 died. At Tomassy, 6 were killed, and 17 wounded; of whom, 2 died. At Tugoloo, 4 were wounded. At

* Little Choti was not destroyed by Col. Williamson; as it was said to be on the lands of the Creek Nation of Indians.

Noewee, 14 were killed, and 34 wounded, of whom, 3 died: giving a total of *22 killed—11 mortally wounded*—and 63 wounded, although not mortally: amounting in the whole, to 96 men. On the part of the Cherokees, they lost in a similar proportion, about 200 men.

Of these actions, those of Tomassy and Noewee were the most important. In the first, three hundred Indians were beaten by a detachment from the army, less in number. At Noewee, the enemy were twelve hundred strong; and most advantageously posted in ambuscade: much like what Hannibal was at Thrasymenus. With this difference, however, that at Noewee, the whole army recoiled from the attack; and the Indians were in fact beaten by fifty men; who bravely advanced and charged upon them. In these engagements, the success over the Indians, was not owing to any regular order of battle. For many days, the army marched without any order of disposition, in case of attack; and scarcely was any regular guard in advance. But, the bravest were foremost; officers and men, promiscuously joined, and of various companies. And often, the advance guard was scarcely any thing more, than the front of the main body. This, however, was in a great measure induced, by the defiles and passes, which so often occurred; by which, together with the gorges of mountains, often cut by streams of water, there was too much danger and difficulty in advancing the front guard, at any distance from the main body; or, of pushing flanking parties and scouts, along the line of march. The army was, therefore, often exposed to surprize; and nothing but its imposing force, saved it from having masked attacks made upon it; similar to the one, which took place at Esse-necca.

On the other hand, the natural difficulties of the country, called forth a patience in suffering, and exertions in overcoming difficulties, which would have done honour to veteran troops. Their route, was over pathless mountains; whose ascents, and descents, were often extremely steep, and abrupt: at other times, they penetrated through woody bottoms, full of thick laurel swamps, covered with dense thickets of bushes, vines, and briars: and some of these, so completely embosomed by the height of adjacent mountains, that the rays of the sun scarcely ever reached them. In addition to these difficulties, the baggage, ammunition, and provisions, were carried solely on pack-horses; which, sometimes stumbling in their march, were hurled down and torn in pieces, before they reached the base of the mountains. And narrow defiles occasionally presented themselves along the sides of mountains, in such manner, that a small body of troops on the summit, by throwing down stones, and detaching bodies of rock, might, by their great impetus and velocity, have not only beaten down whole platoons and companies, but have destroyed an entire army. Such, were the dangers and difficulties, which occurred in many places, from the Oceonnee Mountain to the Middle Settlements; but this, is the exact description of the route, from thence to the Vallies, across the dividing ridge of mountains; a distance, of twenty-five miles. These fatigues, however, secured the health of the army; not a man belonging to it, dying of sickness on the expedition: nor, was there but one man, who by sickness was unable to march; and he was only prevented doing so, for a few days.*

* After the Cherokee Indians had been so severely scourged, they sued in the most submissive terms for peace: and an embassy was sent from the Cherokee Nation, consisting of the Bird, the Mankiller, and other Warriors; who delivered Talks to the President and Privy Council at Charlestown, in the room of the Legislative Council, on the 3d of February 1777. In these Talks, the

This expedition, cost the State of South-Carolina, £460,366 5 5.†

† See *South-Carolina Treasury Ledger*, large folio, commencing December 31st, 1777, page 27—in the Treasury Office, Charleston.

Bird, a warrior of Noewee said, the nation had seen their folly; and hoped the beloved men of Charlestowm would take them by the hand; that they were sent with a good Talk, and hoped the people would hear it. That the town of Tomatly, and several other towns, hoped now to rest in their beds, and sleep. That the beloved men of Noewee, had been walking through the Long Grass; but wanted now to stay at home. That a beloved woman in the Valley, said the Great Man above directed all things: that he had sent fire down and spoiled the path: but hoped it would be made clear again. That he was but a young man; but would talk good; and hoped to have good talks to carry back. That the Great Man above, had put us all down upon the earth; and he did not know why we quarrelled; for, when the white people came over here, the Great Man above set them here, by the river side. The Red people were formerly very glad to see their elder brothers; and their brothers, were very glad to see them. That a white cloth was now spread over the path; and he hoped all would walk on it, and dirty it no more. He farther said, he was sent as a messenger; and he hoped the children would grow up on both sides, as the woods grow, in the woods. That he hoped his eldest brothers, would take care of their youngest brothers. That he was told not to be tired by the fatigues of the journey, or dismayed by the perils which might attend it; but to proceed, and deliver the Talk with which he had been charged. That the Prince of Choti had sent a token; and hoped to hear a Talk from his brothers. That a Talk had been sent to Virginia; and with that people, they had made the path straight and clear: and they hoped they would now have Traders with them again.

The *Mankiller*, said he was not sent a messenger, as the others were; but he had come of his own accord. That he had met the Warrior Beloved Man (Col. Williamson) in the Long Grass; and, had good Talks with him. That formerly, his Great Father and the Warrior, made the path strong; but now, it was broken. That the boys, had despised the advice of their fathers; and he was now come into light, when he entered the Council Room. That his elder brothers, had destroyed their houses, and provisions; but it was not their fault, but his Father's fault; who lived, over the Great Water. The beloved woman of Little Choti sends you this token; saying, The young men are great rogues, and are out in the woods—which, she does not like: and she hopes you will make it up with them. The Mankiller farther said, I was told you were all naked; but I have been about the town, and find it full of goods and merchandize. That he gave much land over Savannah River to pay his debts; which could not be taken away by any part of the nation; as it was acknowledged as a gift, by the whole nation. And he was ready to make further gifts, for the peace and safety of the nation.

In consequence of these Talks, of presents which were delivered on the occasion, and a friendly Talk which was returned to the Indians, Commissioners from South-Carolina and Georgia, met the Cherokee Head-Men, at Dewett's Corner on the Cherokee Boundary Line; where, a definitive treaty of peace was concluded and signed, on the 20th May 1777; between the States of South-Carolina and Georgia, and the Cherokee Indians.

By this treaty, the Cherokee Nation acknowledged, that the troops, during the previous summer, had repeatedly defeated their forces—victoriously penetrated through their Lower Towns, Middle Settlements, and Vallies—and quietly and unopposedly had built, held, and continued to occupy, the fort at Seneca; thereby, effecting and maintaining the conquest of all the Cherokee lands, eastward of the Unacaye Mountain. And that they did acquire, possess, and yet continue to hold, in and over the said lands, all and singular the rights incidental to conquest. In consequence of which, the Cherokee Nation, ceded the said lands to the people of South-Carolina.

In return for this, South-Carolina engaged, to send a supply of goods into the nation; and to permit the Cherokees, during their good behaviour, to inhabit the Middle Settlements and Vallies, westward of the highest part of the Occonee Mountain: to be bounded east by a line south-west and north-east, across the highest part of the Occonee Mountain.

Articles were also introduced into the treaty, for regulating communications, and trade, between the whites and the Indians—for detecting deserters and runaways—for delivering up murderers, and prisoners—and for finally settling all matters in dispute, between the belligerent powers.—*Sce this treaty, in the Secretary of State's Office, at Columbia, with the original signatures affixed to it.*

A P P E N D I X

TO

CHAPTER XVII.

No. I.

*Camp near Dewett's Corner,
18th July 1776.*

DEAR SIR,

You would have been surprized to have seen the change in this country, two days after you left me. On Monday morning, one of Captain Smith's sons came to my house with two of his fingers shot off; and gave an account of the shocking catastrophe at his father's. I immediately galloped to Major Williamson's, to inform him; but found another of Smith's sons there, who had made his escape, and alarmed the settlement.

The whole country was flying; some, to make forts—others, as low as Orangeburgh. Williamson was employed night and day, sending expresses to raise the militia; but, the panic was so great, that the Wednesday following, the Major and myself marched to the late Captain Smith's, with only forty men. The next day, we were joined by forty more; and, have been gradually increasing every since; tho' all the men in the country were loath to turn out, till they had procured some kind of fancied security for their

families. However, we had last night five hundred men; but have not been joined by any from the other side of the river.* I rode there last Saturday, and found Cols. Williams and Lisles, and two companies from Col. Richardson's regiment, amounting to four hundred and thirty men. They were attacked on Monday morning, July 15th, by Indians and Scopholites;† but repulsed them, taking thirteen white men prisoners; the Indians fled, the moment day appeared. I will not trouble you, with more particulars; as Major Williamson will send a circumstantial account to his Excellency.

I am afraid, the burthen of the war, will fall on this regiment; and, that the people over the river will do nothing. They grumble, at being commanded by a Major: and, I fear if they join us at all, (which I doubt,) they will be very apt to prejudice the service, by altercations about command. I cannot help saying, that if Williamson is fit to conduct such an expedition, he certainly ought to have a much higher rank than any of these chaps: who don't object to his person, but his rank. I likewise think it an omission, that the Colonels on the other side the river, have no written orders to put themselves or their men, under his command. On the last accounts from town, that Cunningham and his companions were set at liberty, we were very near having a mutiny in camp; and, it is really a measure (which, though certainly intended for the best) very alarming to all ranks of people. The ignorant, look upon it, as turning their enemies loose on their backs, in the day of their distress; and the sensible part, consider it, as a dangerous exercise of a dispensing power—assumed, contrary to the express determination of Congress, and a corroborating resolve, of the succeeding House of Assembly.

Pearis' house having been a rendezvous for the Indians and Scopholites, Col. Thomas intended to attack it on Monday. We are not yet informed if he did or no; but one of our spies was there on Tuesday, and saw many of our spies about the place, and

* *Saluda River* is intended, when the word *River*, is mentioned in the above letter.

† *Scopholites*, alluded to those who had joined the Royal cause; being named so after one Scophel of infamous character, who had done so.

all the buildings in ashes. Whether they were burnt by friends or foes, is still uncertain: if by the first, I fear Pearis will injure us much. Our men seem spirited, and very much exasperated against our enemies: they are all displeased, with the people over the river, for granting quarter to their prisoners—and declare they will grant none—either to Indians, or white men who join them. We have just received an account, that two of the Cherokee Head Warriors, were killed in the late skirmish, at Lindley's Fort.

19th July. Cunningham and Pearis, came here last night; and by the conversation of the former, I imagine he was much caressed in town. Here, he was treated politely; but with reserve: the Major and myself, having advised him, to go home and mind his private business; at which, he seemed chagrined. I am clear, he had not yet given up the idea, of being a man of consequence; but the friends of liberty in this part of the world, are determined to have no connection with him; and to consider him for the future, merely as an individual—and, not as head of any party. We have just heard from over the river, that the white people in general, had quitted the Indians after the repulse at Lindley's; and were delivering themselves up to Col. Liles: he has sent all these to Ninety-Six gaol, against whom there is proof, of having been in the action.

I hope, you will pardon the freedom, with which I express my sentiments; but, I look upon it as an advantage to men in power, to be truly informed of the people's situation and disposition. This, must plead my excuse; and believe me to be with great respect,

Dear Sir,

Your most obedient humble servant,

FRANCIS SALVADOR.

*The Hon. Mr. Chief Justice Drayton,
Charlestown.*

—
*Camp at Barker's Creek,
July 22d, 1776.*

DEAR SIR,

Your favour of the 12th instant is now before me, giving an account of the agreeable news of your having beat the British fleet.

I shall try my utmost endeavours to follow your example, and beat the Cherokees: of whose treachery and faithless behaviour you are well acquainted.

I am now, encamped here, with about seven hundred effective men, from this regiment: which, with 130 who do duty in the different forts, you'll perceive, have turned out pretty well. My numbers would soon increase, if I had arms. If any can be spared from Charlestown, you can never do this part of the country a greater service, than by using your endeavours, to have them immediately sent here.

Captains Tutt's and Prince's companies of riflemen, have just now joined me; they consist of ninety-three effective men: and to-morrow, Col. Williams (who has been at least fourteen days contriving a mode to cross Saluda River) will also join me, with about two hundred men. Captain Hammond marched off with a detachment of one hundred picked men, on Friday morning, for Pearis' house: where, I am informed, a party of the enemy have been skulking about, these some days past. I expect, hourly to hear from him, and some agreeable news. He has my orders if he can conveniently join Colonels Thomas and Neel, to act in concert with them, and proceed directly into the nation by Estatoe; while I penetrate by way of Seneca, and the Sugar Town. Thomas, has acted in every respect, agreeable to his declaration when at his house—I have wrote and sent him express upon express, to no purpose; it is really disagreeable to have any connection with such men: he has not wrote me a line, since the Indians first commenced hostilities. Lieutenant-Colonel Polk of Neel's regiment, with three hundred men well armed, has joined Thomas; and, I am told by Captain Purves, who I sent on purpose to see his strength, and marked out a plan, to act in conjunction with them, that Polk is eager to join me: it is agreeable to his sentiments, communicated by letter to me lately. Judge then, what feelings such a man must be possessed of; who, in the place of hastening to save and revenge his country, can content himself, with doing nothing.

Robert Cunningham and Pearis, came to my camp; the former, on his arrival declared himself our fast friend—and that he came

to stand and fall with us. I was sorry I could not show him the countenance I could have wished; owing to the people being so much exasperated at the behaviour of Hugh Brown and others, who have lately joined the Indians against us: thirteen of which, are taken prisoners a few days ago; and sent to Ninety-Six gaol: four of which were painted, as Indians. I have no doubt of Cunningham proving true to his declaration; but at present, it would be improper to confer any public trust on him. Mr. Salvador has been with me, since my first taking the field; I showed him your postscript—he thinks of making the campaign to the nation. I understand last night, the Indians struck at North-Carolina and Virginia, the very day they commenced hostilities against our frontiers. If these two colonies join heartily with us, I hope soon to have the pleasure of congratulating you, of a happy issue being put to this expedition; and reduce the Savages to such a state, as to wish they had never broke their faith with us.

I am with much regard,

Dear Sir, your most humble servant,

A. WILLIAMSON.

*The Hon. William Henry Drayton,
Charlestown.*

HONOURED SIR,

I make no doubt that you are anxious to hear how our affairs stand in this perplexed and unhappy district; since the heathen have broke in on our frontier. Fame on such occasions speaks variously; nor, is it easy to report only real facts. You may rely on the following.

It is quite evident, that the Savages were made acquainted with the designs of the British fleet against Charlestown; and that there was a connected scheme, between them against our country. Nor, is it less certain, that the disaffected party among us, knew the intentions of the Indians; and, were really elated with the prospect. They made no secret of their expectations of safety. And when the time drew near, that was appointed for the Savages to murther, they refused to muster, or obey any officer, appointed by their country over them. This insolent behaviour, at such a

threatening time, very much alarmed us. At this time, it evidently appears, that they were by compact to assist the Savages, to ruin the country. And, had they been in possession of their arms, many of them would have actually engaged in the bloody scheme. But, providentially for us, their arms were scarce : and the Savages killed the disaffected in common, without distinction of party. This greatly alarmed them--changed their countenance and tone—and made them look out, for safety for their families. Others of them justly supposed, that any of their party that were killed, must have suffered through mistake. This, now appears plain to us, by the Indians giving up those of them, which they had taken as prisoners.

The Savages, have spread great desolation, all along the frontiers; and killed a great number. On the 14th, they attacked a part of Colonel Williams' regiment, at Lindley's Fort; but were repulsed, by the loss of one lover of his country; who, unfortunately suffered a cruel death by them. This attack, was made by about ninety Indians, and one hundred and twenty white men. Ten of the white Indians were made prisoners: nine of which, were painted. They are now safe at Ninety-Six; where they will remain, unless released by their brethren.

Major Williamson and the officers under him, have exerted themselves in getting our forces together; and arming them as well as could be done among us. Our army is about 1,000 or 1,100 strong; and has advanced, about fifteen miles over the line.

Ninety-Six, is now a frontier. Plantations lie desolate—and hopeful crops, are going to ruin. In short, dear Sir, unless we get some relief, famine will overspread our beautiful country. As our army is now over the line, the dread of Savages and the disaffected, will deter the lovers of their country from looking after their affairs at home. Fences are thrown down; and many, have already suffered great loss.

Such of us, as are in forts, have neither suitable guns nor ammunition, for the defence of our wives and little ones: as we were obliged to furnish our army, with our best arms.

By every intelligence we have from Georgia, we learn that the New Purchase is in great distress. Should the Savages break through the New Purchase, we will then be a frontier in that quarter. The release of the prisoners at Charlestown, at this critical juncture, very much alarmed us. We really dread, that party. I cannot express our distress. Your friendship on our behalf with our Governor, to procure us the rangers, or part of them, to assist us, will be acknowledged by all, with real gratitude —and by none more, than by,

Honoured Sir,

Your very humble servant,

JAMES CRESWELL.*

Ninety-Six, July 27th, 1776.

*To the Hon. William Henry Drayton,
Charlestown.*

No. II.

*Camp, two miles below Keowee,
August 4th, 1776.*

SIR,

I received your Excellency's favours of the 26th and 27th ult. by express. In my last letter to your Excellency, of the 31st ult. I informed you of my spies, being returned with two white prisoners; who gave an account of Cameron's being arrived from over the Hills with twelve white men; and, that he, with the Seneca and other Indians, were encamped at Ocnore Creek, about thirty miles distant from Twenty-Three Mile Creek, where I then lay encamped. This intelligence induced me to march immediately to attack their camp, before they could receive any information of my being so far advanced.

I accordingly marched about six o'clock in the evening, with three hundred and thirty men on horseback; (taking the two pri-

* Mr. Creswell was a respectable Preacher, residing between Saluda and Broad Rivers, in Ninety-Six District.

soners with me, to show where the enemy were encamped; and told them before I set out, if I found they deceived me, I would order them instantly to be put to death;) intending to surround their camp, by day-break; and to leave our horses about two miles behind, with a party of men to guard them. The River Keowee lying in our route, and only passable at a ford at Seneca, obliged me, (though much against my inclination,) to take that road; the enemy either having discovered my march, or laid themselves in ambush, with a design to cut off any spies or party I had sent out, had taken possession of the first houses in Seneca; and posted themselves behind a long fence, on an eminence close to the road where we were to march. And, to prevent being discovered, had filled up the openings betwixt the rails, with twigs of trees, and corn-blades. They suffered the guides and advanced guard to pass; when, a gun from the house was discharged, (meant as I suppose, for a signal for those placed behind the fence;) who a few seconds after, poured in a heavy fire upon my men; which, being unexpected, staggered my advanced party.

Here, Mr. Salvador received three wounds; and, fell by my side: my horse was shot down under me, but I received no hurt. Lieutenant Farar of Captain Prince's company, immediately supplied me with his. I desired him, to take care of Mr. Salvador; but, before he could find him in the dark, the enemy unfortunately got his scalp: which, was the only one taken. Captain Smith, son of the late Captain Aaron Smith, saw the Indian; but thought it was his servant, taking care of his master, or, could have prevented it. He died, about half after two o'clock in the morning; forty-five minutes after he received the wounds, sensible to the last. When I came up to him, after dislodging the enemy, and speaking to him, he asked, whether I had beat the enemy? I told him yes. He said he was glad of it, and shook me by the hand—and bade me farewell—and said, he would die in a few minutes. Two men died in the morning; and six more, who were badly wounded, I have since sent down to the settlements; and given directions to Doctors Delahowe and Russell, to attend them.

I remained on the ground, till day-break, and burnt the houses on this side the river; and afterwards crossed the river the same day—reduced Seneca entirely to ashes. Knowing, that the In-

dians would carry immediate intelligence of my strength, to the place where Cameron lay encamped, who would directly move from thence; and having ordered the detachment from Colonels Neel's and Thomas' regiments to attack and destroy Estatoe, Qualhatchie, and Toxaway, and join me this day at Sugar Town, obliged me to march that way: which, this day a strong detachment consisting of four hundred men, has totally reduced to ashes. An old Indian, was found there; who said, the enemy had deserted the town four days ago; on hearing by a white man, that an army was advancing against them.

I am respectfully,

Your Excellency's most obt. servt.

A. WILLIAMSON.

*His Excellency John Rutledge,
President of So. Carolina, Charlestowm.*

CHAPTER XVIII.

A Great Seal of the State is directed to be made—President Rutledge issues a proclamation, requiring the Legislative Council and General Assembly to meet in Charlestown—His speech to them—The Legislative Council's answer—His reply to the Legislative Council—The General Assembly's answer—His reply thereto—The Carolina troops, are placed on the continental establishment—Large sums of money are issued by the Legislature—The Judiciary enters upon active duties—Charge of the Chief Justice to the Grand Jury for Charlestown District—Several persons are convicted of sedition, and are sentenced to be hanged—They are ultimately pardoned by President Rutledge—A summary of the proceedings of the Continental Congress, from the beginning of the year 1776, to the 4th day of July, when Independence was declared—The Declaration of Independence—Conclusion of the Memoirs, spreading to view, the immense Empire of the United States of America.

SO soon, as the government under the Constitution, of March 1776, were organized, the necessity of having a public Seal, became evident: and, on motion in the General Assembly it was resolved, “That his Excellency the President and Commander in Chief, by and with the advice and consent of the Privy Council, may, and he is hereby authorized to, design

and cause to be made, a Great Seal of South-Carolina: and, until such a one can be made, to fix upon a temporary public Seal.”*

In pursuance of this resolution, William Henry Drayton, and some of the Privy Council, were charged with designing the Great Seal, and causing it to be made; and in the mean time, a temporary public Seal was adopted by the President and Privy Council, for purposes of State. The first use of this temporary Seal, (which appears to have been the Seal at Arms of the President,) was for commissioning the civil officers of the government—and for a pardon issued by President Rutledge, dated 1st May 1776, in favour of a person, who had been convicted of manslaughter, before Chief Justice William Henry Drayton, and his Associate Justices, at a Court commenced in Charlestowm on the 23d April 1776.† In these commissions, it was called his (the President’s) Seal; but in pardons and other instruments, it was afterwards called “*the Temporary Seal of the said Colony*,” or, “*the Temporary Public Seal*:” and, it was used from that time, throughout the year 1776, until about the 22d May 1777; as on that day, President Rutledge issued a pardon under “*the Seal of the said State*,” omitting the word *temporary*; whence, there is reason for believing, the Great Seal was then made: and from that time, the temporary Seal, does not appear to have been used.‡

* See Journals of the General Assembly of South-Carolina for 1776, in the office of the Clerk of the House of Representatives, at Columbia.

† See Book of Miscellanies and Bills of Sale in the Secretary’s Office, Charleston, SS. pages 1, 2.

‡ The Author remembers seeing the mould or dye of the Great Seal, brought by the Artist who was engraving it, to his father William Henry Drayton, at his residence in Charlestowm, for his inspection; but he cannot fix what particular time it was. From some circumstances which occurred, he believes it was not in the winter.

The device for the armorial achievement and reverse of the Great Seal of the State of South-Carolina, is as follows.

ARMS. A Palmetto-tree growing on the sea-shore, erect; at its base, a torn up Oak-tree, its branches lopped off, prostrate; *both proper*. Just below the branches of the Palmetto, two shields, pendent; one of them, on the dexter side is inscribed *March*—the
26.

other, on the sinister side *July*. Twelve Spears, *proper*, are bound crosswise to the stem of the Palmetto, their points raised; the band uniting them together, bearing the inscription *QUIS SEPARABIT*. Under the prostrate Oak, is inscribed *Meliorem Lapsa Locavit*; below which, appears in large figures 1776. At the Summit of the Exergue, are the words **SOUTH-CAROLINA**; and at the bottom of the same, **ANIMIS OPIBUSQUE PARATI**.

REVERSE. A Woman walking on the Sea-shore, over swords and daggers; she holds in her dexter hand, a laurel branch—and in her sinister, the folds of her robe: she looks towards the sun, just rising above the sea; *all proper*. On the upper part, is the sky, *azure*. At the summit of the Exergue, are the words **DUM SPIRO SPERO**: and within the field below the figure, is inscribed the word **SPES**. The Seal is in the form of a circle, four inches diameter; and four tenths of an inch thick.

It was not designed, until after the fort at Sullivan's Island, had defeated the British fleet, as all its devices will prove. The fort was constructed of the stems of the Palmetto-trees, (*Corypha Palmetto*,) which grow abundantly on our sea-islands—which grew on Sulli-

van's Island, at the time the fort was made—when the battle was fought—and which grow there, at this day.

The ARMS, were designed by William Henry Drayton; and the original executed by him with a pen, bearing a great similitude to what is represented on the Seal, is in the possession of his son. It, however, contains more devices—but this is easily reconciled, by supposing, all he had designed was not deemed by the President and Privy Council, necessary for the Great Seal. The explanation of this side of the Seal, is the following. The Palmetto-tree on the Sea-shore, represents the fort on Sullivan's Island; the shields bearing *March*, and *July*, allude to the Constit-

26 4

tution of South-Carolina, which was ratified on the first of those days; and to the Declaration of Independence, which was made by the Continental Congress, on the last of them. The twelve Spears, represent the twelve States, which first acceded to the Union. The dead Oak-tree, alludes to the British fleet, as being constructed of oak timbers—and it is prostrate under the Palmetto-tree, because, the fort, constructed of that tree, defeated the British fleet; hence, the inscription of *Meliorum Lapsa Locavit*, is appropriately placed underneath it: under which, 1776 is in large figures—alluding to the year the Constitution for South-Carolina was passed—to the battle fought at Sullivan's Island—to the Declaration of Independence—and, to the year, when the Seal was ordered to be made.

The REVERSE, of the arms, is said to have been designed by Arthur Middleton, often mentioned in these Memoirs; and who was the father of Henry Middleton, at present Ambassador from the United States of America, to the Court of Russia. The Wo-

man walking along the Sea-shore strown with swords and daggers, represents Hope overcoming dangers, which the Sun just rising, was about to disclose, in the occurrences of the 28th June 1776; while the laurel she holds, signifies the honours which Colonel Moultrie, his officers and men, gained on that auspicious day. The Sun rising in great brilliancy above the Sea, indicates that the 28th of June was a fine day; it also bespeaks good fortune.

After the British fleet and army left this State, they repaired to the northward; and joined their associates under Lord and General Howe, in their attack upon New-York. The press of war, was now directed to that section of the Union: and President Rutledge availing himself of the opportunity, issued on the 5th of August a proclamation, requiring the Legislative Council and General Assembly to meet at Charlestown, on Tuesday the 17th September; then and there to sit, for the dispatch of divers weighty and important affairs. Both branches of the Legislature, accordingly convened; on which occasion, his Excellency delivered the following speech:

“ Honorable Gentlemen, of the Legislative Council.

“ Mr. Speaker, and Gentlemen of the General Assembly.

“ I think it my duty to pay this tribute of applause, to those brave troops, who, in repelling the formidable British armament, which attacked them on Sullivan’s Island, vainly flattering themselves with an assurance of easy conquest, displayed firmness and intrepidity, that would have reflected honour on Roman veterans; and I most heartily congratulate you, on their heroic behaviour. It is an auspicious presage

of what may be expected, from the valour of our other troops, when theirs shall be the post of danger; as it demonstrates, that men, animated by an ardent zeal for the sacred liberties of their country, and trusting in the Divine support, are capable of the most glorious achievements.

“ The Cherokee Indians have committed such barbarous acts of hostility, as threatened desolation to the frontier settlements, at a time, when the enemy lay in view of the town, and an attack on it was daily expected: a considerable force was immediately sent into that nation, to obtain satisfaction for the cruel outrages, by acting with the greatest vigour. Our people, have behaved with much spirit. It has pleased God, to grant very signal success to their operations; and I hope by his blessing on our arms, and those of North-Carolina and Virginia, from whom I have promises of aid, an end may soon be put to this war.

“ Since your last meeting, the Continental Congress have declared the United Colonies, Free and Independent States, absolved from allegiance to the British Crown; and the political connection between them and Great Britain totally dissolved. An event, which necessity rendered not only justifiable, but unavoidable. This Declaration, and several resolves of that honourable body, received during your recess, shall be laid before you. I doubt not, you will take such measures as may be requisite in consequence of them.

“ A well regulated militia being essential to the preservation of our freedom, I am persuaded you think with me, that your time cannot be better employed, than in framing a law for making such improvements in the militia, as may produce the most beneficial consequences.

“ It is not improbable, that at the season appointed for the meeting of the next Assembly, the business of legislation must yield to that of a different nature; and it behoves us to employ this time of the enemy’s absence, in making the best preparations for defence, and enacting such laws, as the present exigencies demand. I have therefore thought it for the public service, to call you together now, that you may deliberate on those matters, which tend to the interest and security of the State. I shall propose what in the course of your session, appears so to me; and be happy in your advice on, and concurring with you, in any, that may effect those important objects.

“ JOHN RUTLEDGE.

“ *September 19th, 1776.*”

To this Speech, the Legislative Council returned the following answer:

“ May it please your Excellency.

“ We, the Legislative Council, now met, in a Constitutional Assembly of the State, return your Excellency our thanks for your speech to both houses, at the opening of the present session; it contains information truly glorious and important; and must be highly acceptable to every true lover of his country.

“ The late defeat of the British forces by our troops on Sullivan’s Island, near Charlestown, is an illustrious event in our history. Those troops acquired as much honour, as troops could obtain. By their bravery under God, our country was relieved from much anxiety, and procured present safety. And, we rejoice at the opportunity we have, of paying our tribute to their merits: at the same time, congratulating your Excellency upon their conduct, which was, and is, as

honorable to themselves, as important to the State. We embrace this auspicious presage, of what may be expected from our other troops; in whom, we have a most perfect confidence: and we are persuaded, that men animated with an ardent zeal for the liberties of their country, and trusting in the Lord of Hosts, are equal to the most ardent enterprizes.

“The critical commencement of the Cherokee war, fills us with a just indignation of the treachery of those Savages; and convinces us, of what indeed we had before little reason to doubt, of the indiscriminate atrocity, and unrelenting tyranny of the hand, that directs the British war against us. But, it has pleased God to take an injured people under his protection: and to bless our arms, with distinguished success: as well, against our British enemies—as their savage allies. In repelling this barbarous attack on our people, the spirit of our frontier inhabitants, deserves the highest commendations; and, with a continuance of the Divine favour upon their efforts, now in conjunction, as we have reason to believe, with the good people of North-Carolina and Virginia, we hope by a speedy and complete conquest of the Cherokee lands, already so happily and far advanced, by our arms, this State, as well as our neighbouring States, will be effectually secured from a repetition of those hostilities, from those merciless Savages, in a day of distress.

“The Declaration of the Continental Congress, that ‘The United Colonies are, and of right ought to be, free and independent States—that they are absolved from all allegiance to the British Crown—and, that all political connection between them, and the State of Great Britain, is, and ought to be, totally dissolved:’ calls forth, all our attention. It is an event, which necessity had rendered not only justifiable—but abso-

lutely unavoidable. It is a decree, now worthy of America. We thankfully receive the notification of, and rejoice at it; and we are determined at every hazard, to endeavour to maintain it: that so, after we have departed, our children and their latest posterity, may have cause, to bless our memory.

“ We shall pay all proper attention to the resolves of the truly honorable Continental Congress; and enter into such measures respecting them, as may be expedient, for the public service.

“ Sensible as we are, that a well-regulated militia is essential to the preservation of our freedom, your Excellency may be assured, that we shall endeavour to place that bulwark of our safety, upon the best foundation; and that now, while we have an opportunity, free from the immediate alarms of war, we shall diligently proceed, so as to amend our old laws, and to form others, as may effectually tend to prosecute the public interest—to be in a proper state of preparation to repel the expected attacks of the enemy—and, in general, to establish the best polity, in our new State.

“ We beg leave to notify to your Excellency, our entire satisfaction in, and approbation of, your public conduct, during the time of your administration.

“ In the Legislative Council, the 20th day of September 1776.

“ By order of the House.

“ THOMAS SHUBRICK, Speaker.”

To this answer of the Legislative Council, the President replied:

“ Honorable Gentlemen,

“ The sentiments which you express respecting our troops, must give them great pleasure.

“ Your determination to endeavour to maintain the independence of the United States at every hazard, proves, that you know the value, and are deserving of those rights, for which America contends.

“ I doubt not your attention to public business; and am glad to find, that my conduct, meets with your approbation.

“ JOHN RUTLEDGE.

“ *September 20th, 1776.*”

The answer of the General Assembly, was the following:

“ May it please your Excellency.

“ We, the Representatives of the State of South-Carolina, met in General Assembly, beg leave most heartily to join your Excellency with our tribute of applause to those brave troops, who so lately signalized themselves by their firmness and intrepidity, in repelling the formidable British armament, which attacked them on Sullivan’s Island, and thereby disappointing the vain and flattering expectations of our cruel and unnatural foes: a tribute we deemed justly due from an injured country, for such heroic behaviour; and a grateful testimony of the early and auspicious presage, of the future valour and heroism of men, animated by the noblest of all incentives, an ardent zeal for the sacred liberties of their country, and a confidence in Divine justice.

“ We are happy to find, the barbarous and ungrateful attempts of the Cherokee Indians, instigated by our British enemies, on our frontier settlements, are checked by the spirit and activity of our friends of North-Carolina and Virginia: hope a speedy end will be put to the outrages of those detestable Savages.

“ It is with unspeakable joy, we embrace this opportunity, of expressing our satisfaction in the Declaration of the Continental Congress, constituting the United Colonies free and independent States, absolved from their subjection to George III. and totally dissolving all political union between them, and Great Britain. An event, unsought for; and now produced, by unavoidable necessity: and which, every friend to justice and humanity, must not only hold justifiable, as the natural effect of unmerited persecution—but, equally rejoice in, as the only security against injuries and oppressions; and the most promising source, of future liberty and safety. The Declaration of Independency, and resolves of the honorable the Continental Congress, now laid before us, shall be the principal objects of our attention, in our deliberations for the public good.

“ We are fully persuaded, that it is essential to the liberties and support of a free State, to have a well regulated militia, and more especially to this State, in the present circumstances of affairs, in America. We shall therefore, think it our duty, while the business of legislation is not interrupted by the din of arms; to employ every opportunity to effect a purpose so beneficial, in making the best preparations for defence; and in framing such laws as are necessary for the safety of the State.

“ In General Assembly, the 20th September 1776.

“ By order of the House.

“ JAMES PARSONS, *Speaker.*”

To this answer, the President replied:

“ Mr. Speaker, and Gentlemen,

“ This most honorable reward, cannot fail to make the deepest impressions upon generous minds. It will increase the laudable ambition of those on whom it is conferred; and excite others to emulate that fame, which they acquired.

“ May the happiest consequences be derived to the United States, from the independence of America: who could not obtain even peace, liberty, and safety, by any other means.

“ Your disposition and assurances, afford a confident expectation, that this session will be usefully employed.

“ JOHN RUTLEDGE.

“ *September 21st, 1776.*”*

Hitherto, the South-Carolina troops had been on the Colonial and State establishment; but the service was injured, by regular troops doing duty together, governed by different laws: and the Continental Congress having recommended, that the State troops should be placed on the Continental establishment, the General Assembly of this State, on the 20th of September 1776, “ Resolved, that this House do acquiesce in the resolutions of the Continental Congress of the 18th of June, and the 24th of July last, relative to the putting the two regiments of infantry, the regiment of rangers, the regiment of artillery, and the two regiments of riflemen, in the service of this State,

* See Journals of the Legislative Council and General Assembly for 1776; also, the London Remembrancer for 1776, Part III. from page 275 to 278.

upon the Continental establishment;" which was agreed to and passed by the constituted authorities: and from that time, the South-Carolina officers of the above regiments, came into the Continental line, as youngest officers of their different ranks.

During this session of the Legislature, an ordinance was passed on the 19th October 1776, for the issuing of £130,000 in dollar bills; and on the 23d December following, an act was passed, for issuing £500,000, equal to 308,000 Spanish milled dollars, for the public service.*

While the Executive and Legislature were so using their different powers, for the general good, the rotation of Courts commenced; which called upon the Judiciary to enter on active duties. The Court for Charlestown District therefore held its sessions at Charlestown, on Tuesday the 15th of October 1776; when the Chief Justice, William Henry Drayton, addressed the Grand Jury in language strongly marked with patriotism, learning, and historical information. He therein treated of the *Rise of the American Empire*; and of the conduct which the Grand Jury ought to pursue, for aiding its establishment:† concluding the same, in the following manner.

" Thus, Gentlemen of the Grand Jury, with the best intentions for the public service, however executed; having declared to you, that you are not *bound* under, but *freed* from, the dominion of the British

* See South-Carolina Treasury Ledger, large folio, commencing December 31st, 1777, pages 84, 85—in the Treasury Office, Charleston.

† This Charge, is published in the London Remembrancer for 1777, from p. 327 to 342. It was previously published in Charlestown in October 1776, in a pamphlet of twenty-three pages.

Crown; I thought myself necessarily obliged, and I have endeavoured to demonstrate to you, that the rise and fall of empires, are natural events—that the Independence of America, *was* not, at the commencement of the late civil war, or even at the conclusion of the last year, the *aim of the Americans*—that, their subjection to the British Crown, being released by the hand of *British oppression*, the stroke of the *British sword*, and the tenor of a *British Act of Parliament*; their natural rise to empire, was conducted BY THE HAND OF GOD!—that, the same strong hand, by proceedings equally unexpected, wonderful, and rapid, as in our case, conducted the English Revolution of 1688—that the revolutions in England and Scotland, at that period, and in America now, giving a new epocha to the history of the world, were founded in the *same immediate cause*; a failure of protection; that those revolutions concurred, in *one grand evidence* of the feelings of nature, on such a subject—that, every species of mal-administration in a King, is to be traced to a failure of protection; which is the only instrument, working his abdication—that, the object for which we contend, is *just* in its nature, and of inestimable value—that the American Revolution may be supported with the fairest prospect of success by arms—and, that it may be powerfully aided, by a Grand Jury.

“ Gentlemen, I do most cordially congratulate you, placed as you are, in a station honorable to yourselves—and beneficial to your country. Guardians of the innocent, you are appointed to send the robber, the murderer, the incendiary, and the traitor, to trial. Your diligence in inquiring for such offenders, is the source of your country’s safety; and although no such offenders be found, your laudable search will yet tend to curb a propensity to robbery, murder, sedition, and treason. See, Gentlemen, what great advantages may

result, from your vigilant and patriotic conduct! Your ears ought to be *shut*, to the petitions of friendship, and to the calls of consanguinity—but, they ought to be *expanded* to receive the *complaints of your injured country*; and the *demands of impartial justice*. Brutus inflicted upon his sons, the *ultimum supplicium*, for conspiring to re-establish the Regal Government in Rome. And, if a similar occasion should arise in America, which God forbid; I trust, a Brutus will not be wanting! Let those, if there be any such, who treacherously or pusilanimously hanker after a return of Regal Government, remember such things—and tremble. Let us ever remember, rejoice, and teach our children, that the American Empire is composed of States, that are, and of right ought to be, free and independent: *that they are absolved from all allegiance to the British Crown*; and, that all political connexion between them and the State of Great Britain, *is, and ought to be, totally dissolved.*"

After this Court had closed its session, the Judges commenced their circuits throughout the State; and at the Court, begun and held at Ninety-Six for that district, on the 15th November 1776, thirteen persons were convicted of sedition under the act for punishing the same; all of whom were condemned to be hanged. For reasons of State, however, President Rutledge respited them from time to time; and at length, he pardoned them, on the 22d day of May 1777. It is not the object of these Memoirs, to enter upon the transactions of that year; but so far as opportunities have permitted to speak of the occurrences which took place down to the close of 1776. In doing so, it will be useful to mention, the principal proceedings of the Continental Congress, during this year to the 4th day of July; when Independence was declared.

On the 6th of January 1776, a regulation was adopted, relative to the division of prizes, and prize-money, taken by armed vessels, among officers and men. On the 9th of January, it was resolved, that no postage should be paid for any letters to, or from, private soldiers, while engaged in actual service in the defence of the United Colonies; and that they should be franked by some person, authorized for that purpose. On the 11th of January, Congress ordained, that persons refusing to receive the Continental bills of credit in payment, or who should obstruct and discourage the currency or circulation thereof, should, on conviction, be deemed, published, and treated, as an enemy of the country, and be precluded from all trade or intercourse, with the inhabitants of the Colonies. On the 27th of January, resolutions were entered into, for carrying on trade with the Indians, and for procuring the necessary supply of goods, for that purpose. On the 30th of January, it was resolved, that no apprentice should be enlisted within the Colonies of New-Jersey, Pennsylvania, the Counties on Delaware, or Maryland, as a soldier in the army or navy of the United Colonies, without the previous consent of his master or mistress in writing; all those enlisted in a contrary manner, were ordered to be discharged on application, and a reimbursement of expenses incurred for enlistment: and every person under the age of twenty-one years, who had enlisted in the army or navy, was within twenty-four hours thereafter, entitled to his discharge, on refunding the amount of money and articles, with which, he had been supplied. It was at the same time recommended to creditors, who had claims against persons in the army or navy, for less than thirty-five dollars, not to arrest the debtors, until their terms of service had expired.

February. On the 17th of February, a Standing Committee of five, was appointed for superintending the treasury; and Congress directed the emission of the farther sum of four millions of dollars, in bills of credit. On the 27th of February, the middle and Southern Colonies, were divided into two military departments, in the following manner: New-York, New-Jersey, Pennsylvania, the Lower Counties on Delaware, and Maryland, to constitute one—Virginia, North-Carolina, South-Carolina, and Georgia, to constitute another: the former, to be put under the command of a Major General, two Brigadier Generals, and a proper staff; the latter, under a Major General, three Brigadier Generals, with a suitable staff,

March. On the 9th of March, it was resolved, that no oath by way of test, should be exacted of the inhabitants of the Colonies by military officers. On the 14th of March, a resolution was passed, recommending a general disarming of disaffected persons, throughout the Colonies. On the 16th of March, the 17th of May following was appointed a day of general humiliation, fasting, and prayer. On the 21st of March, Congress recommended to the several provincial Assemblies, to exert their utmost endeavours to promote the culture of hemp, flax, and cotton, and the growth of wool in the United Colonies; to take the earliest measures for erecting and establishing in each Colony, a society for the improvement of agriculture, arts, manufactures, and commerce; and forthwith to consider of the ways and means, of introducing and improving the manufactures of duck, sail-cloth, and steel. On the 23d of March, resolutions were adopted, authorizing the fitting out of private armed vessels, to cruise against the enemies of the United Colonies,

On the 1st of April, a resolution was passed, for the institution and establishment of a Treasury Office of Accounts: to be kept in the place, where Congress might hold its sessions; and, to be under the direction and superintendence of the Standing Committee for the Treasury. It was resolved moreover, that an Auditor General and a competent number of assistants and clerks, should be appointed, for stating, arranging, and keeping the public accounts. On the 2d of April, the form of a commission for private armed vessels, was agreed upon. On the 3d of April, instructions to the commanders of private armed vessels were considered and adopted. They authorized the capture of all ships and other vessels, belonging to the inhabitants of Great Britain on the high seas; or, between high water, and low water marks: except, vessels bringing persons who intended to settle and reside in the United Colonies, or, conveying arms, ammunition, and warlike stores, for the use of such inhabitants of America, as were friendly to the cause of liberty. On the 6th of April, several resolutions of a commercial nature were agreed to, authorizing exportations and importations, with certain exceptions, of the merchandize and products, from and to countries, other than such as were subject to the King of Great Britain; and it was recommended to the Assemblies of the different Colonies, that officers should be appointed to superintend the execution of such regulations, as might be made concerning trade. On this occasion, the importation of slaves was expressly prohibited. On the 16th of April, it was recommended to the Council of Safety of Maryland, to cause the person and papers of Governor Eden to be seized and secured; in consequence of a belief, that he had been carrying on a correspondence with the British Ministry highly dangerous to the liberties of America. On the 17th of April, a bounty

April.

of eight dollars was allowed, to the owner of every vessel, for each able seaman imported and discharged in American ports, over and above the ship's company. On the 19th of April, letters directed to any General in the Continental service, commanding in a separate department, were allowed to be carried free of postage.

May. On the 6th of May, it was resolved,

that ten millions of dollars should be raised, for the purpose of carrying on the war, for the year 1776; and, measures were taken, for treating with the Indians. On the 9th of May, a resolution passed, for the emission of five millions of dollars in bills of credit, in part of the ten millions voted for the service of the year 1776. On the 10th of May, it was resolved, to recommend to the respective Assemblies and Conventions of the United Colonies, where no government sufficient to the exigencies of their affairs had been established; to adopt such a government as should, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and of America in general. A preamble to this resolution, agreed to on the 15th of May, stated the intention to be totally to suppress the exercise of every kind of authority under the British Crown.

June. On the 7th of June, certain resolutions

respecting independence, were moved and seconded. On the 10th of June, it was resolved, that a committee should be appointed, to prepare a declaration to the following effect: "That the United Colonies are, and of right ought to be, free and independent States; that, they are absolved from all allegiance to the British Crown; and, that all political connexion between them, and the State of Great Britain, is, and ought to be, totally dissolved." On the preceding

day, it was determined, that the committee for preparing the Declaration, should consist of five; and they were chosen accordingly, in the following order: Mr. Jefferson, Mr. J. Adams, Mr. Franklin, Mr. Sherman, and Mr. R. R. Livingston. On the 11th of June, a resolution was passed, to appoint a committee to prepare and digest the form of a Confederation to be entered into, between the Colonies; and another committee to prepare a plan of treaties, to be proposed to foreign powers. On the 12th of June, it was resolved, that a committee of Congress should be appointed, by the name of a Board of War and Ordnance, to consist of five members. On the 25th of June, a declaration of the deputies of Pennsylvania, met in provincial conference, expressed their willingness to concur in a vote, declaring the United Colonies free and independent States, was laid before Congress and read. On the *28th of June*,* the committee appointed to prepare a Declaration of Independence, brought in a draft, which was read, and ordered to lie on the table.

On the 1st of July, a resolution of the *July.*
Convention of Maryland, passed the *28th*
of June,* authorizing the Deputies of that Colony to concur in declaring the United Colonies free and independent States, was laid before Congress, and read. On the same day, Congress resolved itself into a committee of the whole, to take into consideration the resolution respecting independency. On the 2d of July, a resolution declaring the Colonies free and independent States, was adopted. A Declaration to that effect, was, on the same and the following days, taken into farther consideration. Finally, on the *4th*

* The day on which the British fleet was defeated, by the Fort on Sullivan's Island.

of July, the Declaration of Independence was agreed to, signed, and directed to be sent to the several Assemblies, Conventions, and Committees, or Councils of Safety: and to the several Commanding Officers of the Continental troops; and to be proclaimed in each of the United States, and at the head of the army.*

IN CONGRESS, *July 4, 1776.*

^{Declaration of} THE UNANIMOUS DECLARATION OF THE
Independence. THIRTEEN UNITED STATES OF AMERICA.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind, requires that they should declare the causes, which impel them to the separation.

We hold these truths to be self-evident
^{Unalienable rights of the people, &c.} —that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that amongst these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of those ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence,

* Laws of the United States, *new edition*, vol. 1st, from page 5 to 7.

indeed, will dictate that governments long established, should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such, has been the patient sufferance of these Colonies; and such is now the necessity, which constrains them to alter their former systems of government. The history of the present King of Great Britain, is a history of repeated injuries and usurpations; all having in direct object, the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary, for the public good.

Absolute tyranny the object of the King of Great Britain.

Recitation of injuries and usurpations, on the part of the British Crown.

He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. He has refused to pass other laws, for the accommodation of large districts of people, unless those people would relinquish the right to representation in the Legislature—a right inestimable to them, and formidable to tyrants only.

He has called together Legislative bodies at places unusual, uncomfortable, and distant from the depository

tory of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time after such dissolutions, to cause others to be elected; whereby, the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise; the State remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our Legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others, to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States;

For cutting off our trade, with all parts of the world;

For imposing taxes on us, without our consent;

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas, to be tried for pretended offences;

For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries; so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

For taking away our charters, abolishing our most valuable laws, and altering fundamentally, the forms of our governments;

For suspending our own Legislatures, and declaring

themselves invested with power, to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

Petitions for redress unavail-

In every stage of these oppressions, we have petitioned for redress, in the most

humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Appeal to the
British people
fruitless.

Nor have we been wanting, in attentions to our British brethren. We have

warned them from time to time, of attempts by their Legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances, of our emigration and settlement here. We have appealed to their native justice, and magnanimity; and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They, too, have been deaf to the voice of justice, and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation; and hold them, as we hold the rest of mankind, enemies in war—in peace, friends.

We, therefore, the Representatives of Declaration of Independence.
the United States of America, in General
Congress assembled, appealing to the Supreme Judge
of the World, for the rectitude of our intentions, do,
in the name, and by the authority of the good people
of these Colonies, solemnly publish and declare, that
these United Colonies are, and of right ought to be,
free and independent States; that they are
absolved from all allegiance to the British The Colonies
absolved from
their allegiance,
&c.
Crown; and, that all political connexion
between them and the State of Great Bri-
tain, is, and ought to be, totally dissolved; and, that
as free and independent States, they have full power
to levy war, conclude peace, contract alliances, esta-
blish commerce, and to do all other acts and things,
which independent States may of right do. And for
the support of this Declaration, with a firm reliance on
the protection of Divine Providence, we
mutually pledge to each other, our lives, Mutual pledge
of fidelity.
our fortunes, and our sacred honour.

JOHN HANCOCK.

New-Hampshire.
 JOSIAH BARTLETT,
 WILLIAM WHIPPLE,
 MATHEW THORNTON.

Massachusetts-Bay.
 SAMUEL ADAMS,
 JOHN ADAMS,
 ROBERT TREAT PAYNE,
 ELBRIDGE GERRY.

Rhode-Island, &c.
 STEPHEN HOPKINS,
 WILLIAM ELLERY.

Connecticut.
 ROGER SHERMAN,
 SAMUEL HUNTINGDON,
 WILLIAM WILLIAMS,
 OLIVER WOLCOTT.

New-York.
 WILLIAM FLOYD,
 PHILIP LIVINGSTON,
 FRANCIS LEWIS,
 LEWIS MORRIS.

New-Jersey.
 RICHARD STOCKTON,
 JOHN WITHERSPOON,
 FRANCIS HOPKINSON,
 JOHN HART,
 ABRAHAM CLARK.

Pennsylvania.
 ROBERT MORRIS,
 BENJAMIN RUSH,
 BENJAMIN FRANKLIN,
 JOHN MORTON,
 GEORGE CLYMER,
 JAMES SMITH,

GEORGE TAYLOR,
 JAMES WILSON,
 GEORGE ROSS.

Delaware.
 CÆSAR RODNEY,
 GEORGE READ,
 THOMAS M'KEAN.

Maryland.
 SAMUEL CHASE,
 WILLIAM PACA,
 THOMAS STONE,
 CHARLES CARROLL,
 of Carrollton.

Virginia.
 GEORGE WYTHE,
 RICHARD HENRY LEE,
 THOMAS JEFFERSON,
 BENJAMIN HARRISON,
 THOMAS NELSON, jun.
 FRANCIS LIGHTFOOT LEE,
 CARTER BRAXTON.

North-Carolina.
 WILLIAM HOOPER,
 JOSEPH HEWES,
 JOHN PENN.

South-Carolina.
 EDWARD RUTLEDGE,
 THOMAS HEYWARD, jun.
 THOMAS LYNCH, jun.
 ARTHUR MIDDLETON.

Georgia.
 BUTTON GWINNETT,
 LYMAN HALL,
 GEORGE WALTON.*

* See Laws of the United States vol. 1st, new edition, from page 7, to page 10, inclusive.

After this manner, the year was brought to a close, in South-Carolina; leaving the State in the full possession of a government chosen by the people, and administered by her confidential and eminent citizens. How she thenceforth moved in the orbit prescribed for her, first by the Confederation, and afterwards by the Constitution of the United States of America—is not for Memoirs to spread forth, but for Histories to declare: and, this has been already done, in bright and honorable pages, by Ramsay, Marshall, and other historians. At present, she is enrolled as one of the brightest stars of the American Union; whose territory has been considerably increased during the Presidency of Mr. Jefferson, by the addition of Louisiana;* and during the Presidency of Mr. Monroe, by that of East and West Florida, with the adjacent dependent islands:† thereby, forming an immense Independent and Sovereign Empire; which now (1821) extends from Canada, to the Gulf of Mexico—and from the Atlantic, to the Pacific Ocean.

* See Treaty with the French Republic for that purpose, Laws of the United States, vol. 7. page 174; also, page 3, of the same volume, the Act of Congress enabling the President to take possession of the same, &c.

† See Treaty with Spain for that purpose, Laws of the United States, vol. 17. page 60; also page 46 of the same volume, the Act of Congress enabling the President to take possession of the same.

ERRATA.

- Vol. I. *Note* in page 49: for *Robert D'Oyley*, read *Daniel D'Oyley*.
In the first line of page 289: for *Congress*, read *service*.
- Vol. II. *Note* in page 288: for *Mayson*, read *Mason*.

